This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

UC-NRLF
B 3 830 976

Author and Title

Wisconsin. Laws, statutes, etc.
Wisconsin session laws.

Call Number	Volume	Copy
KFW 2425 A223	1862	

THIS BOOK DOES NOT CIRCULATE
OUTSIDE THE BUILDING

NAME	LOCATION

Wisconsin. Laws, statutes, etc.
Wisconsin session laws.

KFW vol
2425 1862
A223

GENERAL LAWS

OF THE

LEGISLATURE OF WISCONSIN

IN THE YEAR 1862,

TOGETHER WITH

JOINT RESOLUTIONS AND MEMORIALS.

PUBLISHED BY AUTHORITY.

MADISON, WIS.:
SMITH & CULLATON, STATE PRINTERS, ARGUS OFFICE.
1862.

LIST OF MEMBERS AND OFFICERS.

"SECTION 1. * * * There shall be prefixed to each volume of the laws hereafter published, the names and residences of the several state officers, the senators and members of assembly, and the presiding officers and clerks of both branches of the legislature, at the time of the passage of such laws."—*General laws of* 1854, *chapter* 94.

NAMES AND RESIDENCES

Of the state officers, senators, members of the assembly, presiding officers and clerks of both branches of the legislature, in office at the time of the passage of the laws contained in this volume:

NAME.	OFFICE.	RESIDENCE.	
		Post Office.	*County.*
Louis P. Harvey	Governor	Shopiere	Rock.
William H. Watson	Private Sec. Governor	Milwaukee	Milwaukee.
Edward Salomon	Lieut. Governor	Milwaukee	Milwaukee.
James T. Lewis	Secretary of State	Columbus	Columbia.
Edward Ilsley	Ass't Sec. of State	Madison	Dane.
Samuel D. Hastings	State Treasurer	Trempealeau	Trempeal'u
Chauncey H. Purple	Ass't State Treasurer	Waukesha	Waukesha.
James H. Howe	Attorney General	Green Bay	Brown.
J. J. McClellan	Ass't Attorney General	Oconto	Oconto.
Josiah L. Pickard	State Superintendent	Platteville	Grant.
A. J. Craig	Ass't State Superinten't.	Palmyra	Jefferson.
William H. Ramsey	Bank Comptroller	Ozaukee	Ozaukee.
Andrew E. Elmore	Bank Register	Mukwonago	Waukesha.
Edward D. Ilsley	Ass't Bank Register	Madison	Dane.
Alexander P. Hodges	State Prison Commis'r	Oshkosh	Winnebago.
Samuel C. Bean	State Librarian	Sun Prairie	Dane.
Nathaniel Sawyer	Sup't Public Property	Shopiere	Rock.
Luther H. Cary	Senator	Greenbush	Sheboygan.
Edward Hicks	do	Green Bay	Brown.
Hugh Cunning	do	Ozaukee	Ozaukee.
F. O. Thorp	do	West Bend	Washingt'n
Charles Quentin	do	Milwaukee	Milwaukee.
Edward Keogh	do	Milwaukee	Milwaukee.
William L. Utley	do	Racine	Racine.
Herman S. Thorp	do	Cypress	Kenosha.
John T. Kingston	do	Necedah	Juneau.
Geo. C. Pratt	do	Waukesha	Waukesha.
Samuel C. Bean	do	Sun Prairie	Dane.

NAME.	OFFICE.	RESIDENCE.	
		Post Office.	*County.*
Wyman Spooner	Senator	Elkhorn	Walworth.
Samuel Cole	do	Gratiot	La Fayette.
Smith S. Wilkinson	do	Prairie du Sac	Sauk.
L. W. Joiner	do	Wyoming	Iowa.
Milas K. Young	do	Glen Haven	Grant.
Ezra A. Foote	do	Footeville	Rock.
Joel Rich	do	Juneau	Dodge.
George A. Jenkins	do	Charlestown	Calumet.
G. W. Mitchell	do	Ripon	Fond du Lac
S. M. Hay	do	Oshkosh	Winnebago.
Thos. R. Hudd	do	Appleton	Outagamie.
E. Montgomery	do	Farmington	Jefferson.
Edmund A. West	do	Monroe	Green.
Gerry W. Hazelton	do	Columbus	Columbia.
Benj. F. Hopkins	do	Madison	Dane.
E. L. Browne	do	Waupacca	Waupacca.
H. L. Humphrey	do	Hudson	St. Croix.
Charles S. Kelsey	do	Montello	Marquette.
N. S. Cate	do	De Soto	Bad Ax.
Edwin Flint	do	La Crosse	La Crosse.
M. D. Bartlett	do	Durand	Pepin.
Sat. Clark	do	Horicon	Dodge.
J. W. Beardsley, Speaker	Member of Assembly	Prescott	Pierce.
George Abert	do	Milwaukee	Milwaukee.
B. F. Adams	do	Door Creek	Dane.
F. P. Arnold	do	South Grove	Walworth.
John Bannister	do	Beloit	Rock.
H. W. Barnes	do	Eau Claire	Eau Claire.
Q. H. Barron	do	Fox Lake	Dodge.
Thos. Barry	do	Erin	Washington
R. L. Bassett	do	Wilmot	Kenosha.
A. C. Bates	do	Janesville	Rock.
D. R. Bean	do	Waukau	Winnebago.
Jona. Bowman	do	Newport	Columbia.
H. W. Boyce	do	Geneva	Walworth.
John Boyd	do	Calumet	Fond du Lac
William Brandon	do	Smeltzer's Grove	Grant.
G. W. Brown	do	Brookfield Center	Waukesha.
O. Brown	do	Gilmanton	Buffalo.
Thomas Butler	do	Mt. Pleasant	Racine.
James Cahill	do	Franklin	Manitowoc.
R. Wilson	do	Dodgeville	Iowa.
James Catton	do	Burlington	Racine.
W. H. Chandler	do	Windsor	Dane.
Milo Coles	do	Borina	Outagamie.
C. D. Combs	do	North Royalton	Waupacca.
J. B. Crosby	do	Palmyra	Jefferson.
Benj. Dockstader	do	Plymouth	Sheboygan.
William Dutcher	do	Columbus	Columbia.
Geo. W. Elliott	do	Ahnepee	Kewaunee.
Fred. S. Ellis	do	Green Bay	Brown.
W. W. Field	do	Fennimore	Grant.

Name.	Office.	Residence.	
		Post Office.	*County.*
Adam Finger	Member of Assembly	Milwaukee	Milwaukee.
L. O. Gage	do	Richland Center	Richland.
Peter D. Gifford	do	North Prairie	Waukesha.
W. S. Green	do	Milford	Jefferson.
Geo. K. Gregory	do	Milwaukee	Milwaukee.
H. C. Griffin	do	Oak Grove	Dodge.
Orrin Guernsey	do	Rock	Rock.
G. H. Hall	do	Dell Prairie	Adams.
H. C. Hamilton	do	Wauconsta	Fond du Lac
C. F. Hammond	do	Ripon	Fond du Lac
W. E. Hanson	do	Oshkosh	Winnebago.
S. Hanson	do	La Grange	Walworth.
W. W. Hatcher	do	Waupun	Fond du Lac
C. Hœflinger	do	Wausau	Marathon.
Michael Hogan	do	Menasha	Winnebago.
D. D. Hoppock	do	Rubicon	Dodge.
N. B. Howard	do	Magnolia	Rock.
S. D. Hubbard	do	Scott	Sheboygan.
C. B. Jennings	do	Benton	LaFayette.
Ole Johnson	do	Breckenridge	Bad Ax.
E. Jussen	do	Madison	Dane.
Henry Kirchloff	do	Ten Mile House	Milwaukee.
Hollis Latham	do	Elkhorn	Walworth.
C. D. W. Leonard	do	Dayton	Green.
John F. McCollum	do	Trenton	Dodge.
A. S. McDill	do	Plover	Portage.
Campbell McLean	do	Fond du Lac	Fond du Lac
Michael Maloy	do	Richfield	Washington
N. M. Matts	do	Verona	Dane.
Jacob G. Mayer	do	Le Roy	Dodge.
Saml. Miller	do	Shopiere	Rock.
J. T. Mills	do	Lancaster	Grant.
H. T. Moore	do	Spring Grove	Green.
Joseph M. Morrow	do	Sparta	Monroe.
Saml. Newick	do	Beetown	Grant.
A. Nichols	do	Markesau	Green Lake.
E. Palmer	do	Edgerton	Rock.
H. L. Palmer	do	Milwaukee	Milwaukee.
J. V. V. Platto	do	Milwaukee	Milwaukee.
C. C. Pope	do	Black River Falls	Jackson.
E. K. Rand	do	Manitowoc	Manitowoc.
W. W. Reed	do	Jefferson	Jefferson.
Peter Rogan	do	Watertown	Jefferson.
Saml. Rounseville	do	Memee	Manitowoc.
J. M. Rusk	do	Viroqua	Bad Ax.
Robt Salter	do	Newburg	Washington
Alden S. Sanborn	do	Mazo Manie	Dane.
Robert B. Sanderson	do	Cambria	Columbia.
L. Semmann	do	Oak Creek	Milwaukee.
J. A. Schletz	do	Grafton	Ozaukee.
P. J. Shumway	do	Wauwatosa	Milwaukee.
Godfrey Stamm	do	Sheboygan	Sheboygan.
A. W. Starks	do	Baraboo	Sauk.

NAME.	OFFICE.	RESIDENCE.	
		Post Office.	*County.*
E. B. Stevens	Member of Assembly	Sturgeon Bay	Door.
T. B. Stoddard	do	La Crosse	La Crosse.
J. M. Stowell	do	Milwaukee	Milwaukee.
Geo. R. Stuntz	do	Superior City	Douglass.
Allen Taylor	do	Dickeyville	Grant.
H. S. Thomas	do	Briggsville	Marquette.
J. E. Thomas	do	Sheboygan Falls	Sheboygan.
O. B. Thomas	do	Prairie du Chien	Crawford.
Sam'l Thompson	do	Hartland	Waukesha.
J. Stephens Tripp	do	Sauk City	Sauk.
C. H. Upham	do	Racine	Racine.
W. A. Vanderpool	do	Vernon	Waukesha.
John H. Vivian	do	Mineral Point	Iowa.
Jas. Wadsworth	do	Darlington	La Fayette.
W. F. Watrous	do	Charlestown	Calumet.
W. C. Webb	do	Wautoma	Waushara.
D. R. W. Williams	do	Werner	Juneau.
R. Wilson	do	Dodgeville	Iowa.
Edward Salomon	Lt. Gov. & Pres. of Senate	Milwaukee	Milwaukee.
J. W. Beardsley	Speaker of Assembly	Prescott	Pierce.
J. H. Warren	Chief Clerk of Senate	Albany	Green.
E. D. Campbell	Ass't Clerk of Senate	La Crosse	La Crosse.
John S. Dean	Chief Clerk of Assembly	Madison	Dane.
E. W. Young	Ass't Clerk of Assembly	Prairie du Sac	Sauk.

NOTE.—Where a superfluous word has been found in the enrolled bill, it has been printed in the text, but in italics, and inclosed in parenthesis, (*thus.*) Where a word has been found necessary to sustain the sense of the context, or where one word has been obviously mistaken for another, the word supposed to be proper has been supplied, but in brackets, [thus;] and in no case has the text of the enrolled bill been altered.

GENERAL LAWS.

CHAPTER 1.

[*Published January* 20, 1862.]

AN ACT to amend an act entitled "an act authorizing the county of Brown to aid in the construction of the Green Bay and Madison railroad."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter 130 of the general laws of 1860, entitled "an act authorizing the county of Brown to aid in the construction of the Green Bay and Madison railroad," is herby amended by striking out the word "definite," in the fifth line of section six. Sec. 6 amended.

SECTION 2. This act shall take effect and be in force from and after its passage.

EXECUTIVE OFFICE,
Madison, Jan. 20, 1862.

This bill was presented for my approval, January 15th, and was not returned to the senate with objections.

LOUIS P. HARVEY, *Governor.*

CHAPTER 2.

[*Published January* 25, 1862.]

AN ACT to extend the time for the collection of taxes in the towns of Harris and Newton, in Marquette county.

(*See supplement to local laws.*)

CHAPTER 3.

[*Published January* 25, 1862.]

AN ACT to amend chapter 27 of the general laws of 1861, entitled "an act to legalize the sale of lands for unpaid taxes in the county of Juneau."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Sec. 1 amended.

SECTION 1. Section one of chapter 27 of the general laws of 1861, entitled "an act to legalize the sale of lands for unpaid taxes in the county of Juneau," is hereby amended by striking out the words and figures "in September, A. D. 1860," where they occur in the second line of said section, and inserting in lieu thereof, "on the twelfth day of April, A. D. 1859."

SECTION 2. This act shall be in force and take effect from and after its passage.

Approved January 24, 1862.

CHAPTER 4.

[*Published January* 28, 1862.]

AN ACT to extend the time for the collection of taxes in the city of Beloit.

(*See supplement to local laws.*)

CHAPTER 5.

[*Published January* 28, 1862.]

AN ACT to extend the time for the collection of taxes in the town of Beloit.

(*See supplement to local laws.*)

CHAPTER 6.

[*Published January* 28. 1862.]

AN ACT for the relief of the several towns, cities and villages of the county of Fond du Lac.

(*See supplement to local laws.*)

CHAPTER 7.

[*Published January* 30, 1862.]

AN ACT to authorize the county board of supervisors of La Crosse county, to reapportion the taxes of said county for the year 1861, and to extend the time for the collection of the same.

(*See supplement to local laws.*)

CHAPTER 8.

[*Published February* 6, 1862.]

AN ACT for the relief of Jackson county.

(*See supplement to local laws.*)

CHAPTER 9.

[*Published February* 8, 1862.]

AN ACT to amend chapter 276 of the general laws of 1861, entitled "an act to amend chapt. [chapter] 22 of the general laws of 1859, entitled 'an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof.'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1 of chapter 276 of the general Legality of sales advertised in pe

per in Douglass county.

laws of 1861, is hereby amended, by inserting after the word "notice," in the twelfth line of said section, the following: "*provided*, the foregoing enactment shall not affect the legality of any publications for the sale of unredeemed lands that may be advertised in any newspaper published in Douglas [Douglass] county."

SECTION 2. This act shall take effect and be in force from and after its passage.

Presented to the governor, January 30, 1862, and not returned to the senate with objections.

CHAPTER 10.

[*Published February* 7, 1862.]

AN ACT to extend the time for the collection of taxes in the county of Shawanaw.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Extended to March 3.

SECTION 1. The time for the collection of taxes, except state taxes, in the county of Shawanaw, is hereby extended to the first Monday of March next.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved February 6, 1862.

CHAPTER 11.

[*Published February* 8, 1862.]

AN ACT to amend section 31 of chapter 134 of the revised statutes, entitled "of executions and proceedings supplementary thereto."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Exemptions not extended to non-residents.

SECTION 1. Section thirty-one of chapter one hundred and thirty-four of the revised statutes, is hereby

amended, by adding thereto a new paragraph, as follows: "*provided, however*, that the exemptions provided for and embraced in subdivisions seven, eight, nine and ten of this section, shall extend only to debtors having an actual residence in this state."

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved February 7, 1862.

CHAPTER 12.

[*Published February* 8, 1862.]

AN ACT to change the time of holding courts in the county of Calumet, in the fourth judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

June term. SECTION 1. That, hereafter, the June term of the circuit court in and for the county of Calumet, in the fourth judicial circuit of this state, shall be held on the fourth Monday of June, in each year.

Return of writs, &c. SECTION 2. All writs, summons, process, indictments, recognizances, notices, motions, orders and other proceedings, made returnable on the third Monday of June next, shall be returnable the day above fixed; and all adjournments, appearances, continuances, motions or notices of any proceedings whatever, in the circuit court of said county, made or taken to the said third Monday of June next, shall be held and taken for the time herein provided for the term of said court.

Repeal. SECTION 3. All acts and parts of acts conflicting with the provisions of this act, are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved February 7, 1862.

CHAPTER 13.

[*Published February* 8, 1862.]

AN ACT to provide for the publication of the reports of the several state departments and state institutions.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1,350 of each report to be bound in pamphlet form.

SECTION 1. Within ten days after the annual reports of the several state departments and institutions shall have been placed in the hands of the governor, he shall deliver them to the public printer, who shall immediately proceed to print twenty-seven hundred copies of each of said reports, one-half of which shall be folded and stitched in pamphlet form, three hundred for the use of the institution or department making the same, and the remainder shall be laid before the legislature at the commencement of the ensuing session, for the use of the members. The remaining thirteen hundred and fifty copies of each of said reports, together with the annual message of the governor, shall be bound into thirteen hundred and fifty volumes, each containing one of each of said reports and message, and shall be delivered to the superintendent of public property within one month after the commencement of the legislature, who shall retain fifty copies for the use of the state departments, one hundred and fifty copies for the use of the next succeeding legislature, and lay the remainder before the legislature then in session.

1,350 of each, together with message, to be bound into 1,350 volumes.

Repeal.

SECTION 2. So much of any act as requires the printing of the reports of any of the state departments or public institutions, in any greater or less number, or in any other form than that required by this act, is hereby repealed.

Ibid.

SECTION 3. Chapter 104 of the general laws of 1861, entitled "an act in relation to printing reports for the use of the senate and assembly, by the officers of the several departments and superintendents of state institutions," and so much of any act as conflicts with the provisions of this act, is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved February 7, 1862.

CHAPTER 14.

[*Published February* 12, 1862.]

AN ACT to provide for the relevy of taxes in the county of Pierce, for the year 1861.

(*See supplement to local laws.*)

CHAPTER 15.

[*Published February* 13, 1862.]

AN ACT to authorize the Burlington union school district to change the time of holding their annual meeting.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 2 of chapter 408 of the private and local laws of 1857, entitled "an act to incorporate the Burlington union school district, in the county of Racine," is hereby amended by striking out the word "September" wherever it occur in said section, and inserting the word "July" in place thereof. Amendment.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved February 11, 1862.

CHAPTER 16.

[*Published February* 13, 1862.]

AN ACT to authorize towns to assess and collect additional school moneys in certain cases, and the town clerk to certify thereto.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Those towns that have not assessed for school purposes for the year 1861, by order of the Amount to be assessed.

county board of supervisors, a sum of money equal to one-half the amount received from the school fund by the apportionment of 1861, are hereby authorized to supply such deficiency by an immediate assessment upon the taxable property of said town [towns] of such sums as shall be necessary; the same to be estimated and directed by the town board of supervisors of the respective towns, to be levied and collected in the same manner as other taxes, and such levy and collection to be certified to by the town clerk to the state superintendent, previous [previously] to the apportionment of the income of the school fund for the present year.

How estimated.

Delinquent towns to be notified.

SECTION 2. The state superintendent of public instruction is hereby instructed to notify any delinquent towns, as shall appear from returns in his office, of the passage and provisions of this act; and he is authorized to apportion to such towns as comply with the provisions of this act, the sums of money they may thereby be entitled to.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved February 11, 1862.

CHAPTER 17.

[*Published February* 13, 1862.]

AN ACT to repeal a portion of chapter 274 of the general laws of 1861, entitled "an act to allow the party defendant to testify in his own behalf in certain criminal actions."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Repeal

SECTION 1. Sections two and three of chapter two hundred and seventy-four of the general laws of 1861, entitled "an act to allow the party defendant to testify in his own behalf in certain criminal actions," are hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved February 11, 1862.

CHAPTER 18.

[*Published February* 18, 1862.]

AN ACT to amend chapter 294 of the laws of 1852, entitled "an act in relation to public schools in the city of Racine."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section eighteen of chapter two hundred and ninety-four of the laws of 1852, entitled "an act in relution to public schools in the city of Racine," is hereby amended by striking out the words in the first and second lines of said section, "at least fifteen days before the annual election for commissioners," and inserting in lieu thereof the words, "between the first and tenth days of September." Amendment.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved February 11, 1862.

CHAPTER 19.

[*Published February* 18, 1862.]

AN ACT to amend chapter 98 of the general laws of 1861, entitled "an act to amend and consolidate an act entitled 'an act to incorporate the city of Racine, in the county of Racine,' approved August 8th, 1848, and the several acts amendatory thereof."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section thirteen of chapter ninety-eight of the general laws of 1861, entitled "an act to amend and consolidate an act entitled 'an act to incorporate the city of Racine, in the county of Racine,' approved August 8th, 1848, and the several act amendatory thereof," is hereby amended by striking out the words in said section, "the president of the board of education shall be *ex officio* superintendent of schools for said city," and inserting in lieu thereof the words, "the board of education shall appoint some suitable person Board of education may appoint superintendent of schools.

superintendent of schools for said city, who shall hold his office for one year."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved February 11, 1862.

CHAPTER 20.

[*Published February* 14, 1862.]

AN ACT to amend an act entitled "an act to incorporate the city of Green Bay," and acts amendatory thereto.

(*See supplement to local laws.*)

CHAPTER 21.

[*Published February* 13, 1862.]

AN ACT to amend section 217 of chapter 120 of the revised statutes, entitled "of courts held by justices of the peace."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

How appeals may be tried as original cases.

SECTION 1. Section two hundred and seventeen of chapter one hundred and twenty of the revised statutes, is hereby amended by addding thereto, "*provided, also*, where judgment is rendered against the defendant, or in his favor, for a sum less than fifteen dollars, exclusive of costs, if such defendant, at the time of appealing, shall make oath that he has a valid claim against the plaintiff, as set forth in his answer, exceeding the sum of fifteen dollars over and above the claim of the plaintiff, as set forth in his complaint, as he verily believes, the action shall be tried in the appellate court as cases originally brought there; but the parties may, by consent appearing on the return of the justice, admit such return, or any part thereof, as evidence on the trial of the appeal."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved February 11, 1862.

CHAPTER 22.

[*Published February* 17, 1862.]

AN ACT to amend chapter 174 of [the] general laws of 1860, entitled "an act regulating railroads."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

License 3 per cent. of gross earnings.

SECTION 1. Section one of chapter 174 of the general laws of 1860, entitled "an act regulating railroads," is hereby amended by striking out the word "one" in the eighth line, and inserting the word "three" in place thereof; and section two of said act is hereby also amended by striking out the word "one" in the ninth line, and inserting the word "three" in place thereof.

Companies that have obtained licenses, to make additional payments.

SECTION 2. If any railroad company has obtained a license to operate its road, for the current year, under said chapter one hundred and seventy-four, and has made payment therefor before the passage of this act, such railroad company shall, on or before the twentieth day of February, 1862, make to the state treasurer such additional payment as, with its former payment, will amount to three per centum on its gross earnings; and in case of the refusal of any railroad company to make such additional payment, its license is hereby declared to be revoked and void, and said company is to be dealt with under said chapter one hundred and seventy-four, in all respects, as if no license had been obtained by said company.

License may be revoked.

When state treasurer to pay back amount paid.

SECTION 3. On the default of any railroad company to make the additional payment required by this act, the state treasurer is hereby required and directed to tender and pay back to such railroad company the amount paid by such company for license to operate its road for the present year, and such sum or sums are hereby

appropriated to this purpose out of any money in the treasury not otherwise appropriated.

When licenses to be issued, and when to commence.

SECTION 4. No license shall be granted or issued by the state treasurer to any railroad company, to operate its railroad, before the first day of February, in each year; and every such license shall commence on the first day of January in the year in and for which the same is issued, and shall expire, unless sooner lawfully revoked, on the thirty-first day of December next succeeding the date of its issue.

Part of payment may be deferred until Aug. 20.

SECTION 5. The payment of one-half of the sum required to be paid for such license, may be deferred until the twentieth day of August, in each year, and the state treasurer shall insert in each license a proviso, that if the arrearages so to become due upon said license are not paid on or before the said twentieth day of August next ensuing, said license shall be forfeited, and the party so defaulting shall be proceeded against as provided in section three of the act of which this is amendatory.

Amendment.

SECTION 6. Section six of the said chapter one hundred and seventy-four, is hereby amended by striking out the words "any of the cities of," where they occur in the last line of said section.

SECTION 7. This act shall take effect and be in force from and after its passage.

Approved February 15, 1862.

CHAPTER 23.

[*Published February* 19, 1862.]

AN ACT to change the boundary line between the counties of Green Lake and Marquette.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

What portion of Marquette attached to Green Lake

SECTION 1. All that portion of the county of Marquette lying east of Grand river and south of the Fox river, (being fractional parts of sections number one, in township fourteen north, range ten east, and thirty-five, twenty-five, and the whole of section thirty-six, in town-

ship fifteen north, of range ten east,) is hereby detached and set off from the county of Marquette, and shall hereafter be attached to and constitute a part of the county of Green Lake.

What portion of Green Lake attached to Marquette.

SECTION 2. All that portion of the county of Green Lake lying west of the section line running from the north-east corner of section three, in township number sixteen north, of range number eleven east, south to the north-east corner of section number three, in township fifteen north, of range eleven east, is hereby detached and set off from the county of Green Lake, and shall hereafter be attached to and constitute a part of the county of Marquette.

Towns of Marquette and Mecan.

SECTION 3. That part of township fifteen set off by this act from the county of Marquette, shall hereafter constitute and form a part of the town of Marquette, in the county of Green Lake; and that part of township sixteen set off by this act from the county of Green Lake, shall hereafter constitute and form a part of the town of Mecan, in the county of Marquette.

Question to be submitted to a vote.

SECTION 4. At the annual town meeting to be held on the first Tuesday in April next, the qualified voters of the counties of Marquette and Green Lake may vote upon the question of amending the boundary line between said counties, as herein provided. Those electors who desire the change of boundary contemplated by this act, may deposit a ballot upon which shall be written or printed the words, "for amending boundary line;" and those electors who are opposed to said change of boundary, may deposit a ballot upon which shall be written or printed the words, "against amending boundary line." The votes so cast in said counties, shall be canvassed in the same manner that the votes for state senator are canvassed, and said canvass, when so made, shall be recorded in the office of the clerk of the board of supervisors of each county, and a certified copy thereof shall be forthwith forwarded to the secretary of state, to be filed in his office.

How canvassed, &c.

When to take effect.

SECTION 5. If a majority of all the votes cast at such election, upon this subject, in said counties, shall be "for amending boundary line," then this act shall be in full force and effect from and after the first day of May next.

Repeal.

SECTION 6. All acts or parts of acts conflicting with the provisions of this act, are hereby repealed.

This act to be published, &c.

SECTION 7. The Marquette Express, Berlin Courant and Markesan Journal, are hereby authorized to publish this act for three successive weeks prior to the time of holding the annual town meetings in April, 1862. The expense of publishing in the Marquette Express shall be paid by the county of Marquette, and the expense of publishing in the Berlin Courant and Markesan Journal shall be paid by the county of Green Lake.

SECTION 8. This act is hereby declared to be a public act, and shall take effect and be in force from and after its passage.

Approved February 15, 1862.

CHAPTER 24. R.S. 597

[*Published February* 18, 1862.]

AN ACT to amend section thirty-one of chapter one hundred and one of the revised statutes, entitled "of the payment of debts and legacies of diseased persons."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Application of provisions.

SECTION 1. Section thirty-one of chapter one hundred and one of the revised statutes, is hereby amended by adding thereto the following words, viz.: "All the provisions of this chapter relating to the effect of the appointment, the decision and the report of commissioners; to the action to be taken on the same; to appeals therefrom; to the time limited for the presentation of all claims by creditors; to the effect of failure to present claims within the time limited by the court for that purpose; to the distribution of assets, and all other provisions affected by said section thirty-one, shall apply and be in force in all cases, when the judge of the county court shall perform the duties of such commissioners."

Amendment.

SECTION 2. Section 61 of chapter 101 of the revised statutes, is hereby amended by inserting after the word "omitted" in the second line, the words, "and if the

judge of the county court shall not act in the place of commissioners in the allowance of claims."

SECTION 3. This act shall take effect and be in force from and after its passage.

Approved February 15, 1862.

CHAPTER 25.

[*Published February* 18, 1862.]

AN ACT to provide for the loan and disposition of the drainage fund in the county of Marquette.

(*See supplement to local laws.*)

CHAPTER 26.

[*Published February* 19, 1862.]

AN ACT to amend chapter 143 of the general laws of 1859, entitled "an act to prevent the sale of unripe cranberries."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Justice may retain and apply fines, &c.

SECTION 1. Chapter 143 of the general laws of 1859, entitled "an act to prevent the sale of unripe cranberries," is hereby amended by adding to section four the following: "and may retain all fines collected from any person or persons under the provisions of said chapter 143, and apply the same to the payment of the costs of suit, and also to the payment of all liabilities incurred by the county in enforcing said act; and said justice shall, at the next annual session of the board of supervisors of his county, present a certified account of the costs and expenses incurred, and when the same shall be properly audited and allowed, he shall pay over to the county treasurer any balance that may remain in his hands."

Moneys now in hands of justices.

SECTION 2. All moneys collected by any justice of the peace, in pursuance of the provisions of said act,

and now remaining in his hands, may be used by said justice of the peace in the payment of such costs and liabilities as may have been heretofore incurred by his county, in enforcing the act to which this is amendatory.

Cranberries may be seized, &c.

SECTION 3. All cranberries found in [the] possession of any person or persons in violation of the act to which this is amendetory, [amendatory,] shall be liable to seizure and sale by the proper officers of the county, the proceeds thereof to be applied to the payment of costs and expenses, as provided in section one of this act; and any person or persons who may sell or purchase said berries as aforesaid, shall not be liable to prosecution or fine, as provided in the act hereby amended.

Seller or purchaser not liable to fine.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved February 15, 1862.

CHAPTER 27.

[*Published February* 19, 1862.]

AN ACT to amend chapter 140 of the general laws of 1861, entitled "an act to amend chapter 184 of the revised statutes, entitled 'of executions and proceedings supplementary thereto.'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amendment.

SECTION 1. Section one of chapter 140 of the general laws of 1861, is hereby amended by striking out the words "as provide in this act," and inserting in lieu thereof, "in the manner provided by law."

Approved February 15, 1862.

CHAPTER 28.

[*Published February* 19, 1862.]

AN ACT to repeal chapter 210 of the general laws of 1859, entitled "an act to provide a permanent township school library fund."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter 210 of the general laws of 1859, entitled "an act to provide a permanent township school library fund," is hereby repealed. Repeal.

SECTION 2. All moneys set apart by said chapter 210, from the school fund income, is hereby transferred to the school fund income, and shall be apportioned as other school moneys. Transfer of moneys.

SECTION 3. All moneys raised by section two of said chapter 210, shall be transferred to and made a part of the general fund. Ibid.

SECTION 4. All acts and parts of acts contravening the provisions of this act, are hereby repealed. Repeal.

Approved February 15, 1862.

CHAPTER 29.

[*Published February* 20, 1862.]

AN ACT to repeal section nine of chapter thirteen of [the] general laws of [the] extra session of eighteen hundred and sixty-one, entitled "an act to provide for borrowing money to repel invasion, suppress insurrection, and defend the state in time of war."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section nine of chapter thirteen of [the] general laws of [the] extra session of eighteen hundred and sixty-one, entitled "an act to provide for borrowing money to repel invasion, suppress insurrection, and defend the state in time of war," is hereby repealed. Section 9 repealed.

SECTION 2. All claims and demands against the state for expenses and disbursements authorized by any law of this state, and which, by the laws of the state, When claims against the war fund to be presented.

are payable out of the loan and the fund authorized and created by the act of which this is amendatory, denominated the war fund, shall be presented within one year from the time the same shall accrue; and all such claims and demands as are not presented for payment within one year from the time the same shall have accrued, shall be considered as donated to the state.

SECTION 3. This act shall take effect from and after its passage and publication.

Approved February 17, 1862

CHAPTER 30.

[*Published February* 20, 1862.]

AN ACT changing the time of holding the terms of the circuit court [courts] in the counties of Chippewa, Eau Claire, Dunn and Pepin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When to be held. SECTION 1. The circuit courts in the following named counties, shall be holden at the times hereinafter mentioned, to wit: In the county of Chippewa, on the last Monday of March and the first Monday of September, of each year; in the county of Eau Claire, on the first Monday of April and the second Monday of September, of each year; in the county of Dunn, on the second Monday of April and the third Monday of September, of each year; in the county of Pepin, on the third Monday of April and the fourth Monday of September, of each year.

Writs, &c., returnable. SECTION 2. All writs, recognizances and other proceedings made returnable to the circuit court of any of said counties, shall be considered and deemed to be returnable to the terms of such court as are fixed by this act; and all continuances and notices made or taken to any term of the circuit court of any of said counties, shall be deemed to be made or taken to the terms of such court as the same are fixed by this act; and all motions and other proceedings noticed to be heard at any regular term of such court, shall be allowed and considered to

be noticed for hearing at the regular terms of such court, as the same are fixed by this act.

SECTION 3. All acts and parts of acts conflicting with the provisions of this act, are hereby repealed. Repeal.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved February 17, 1862.

CHAPTER 31.

[*Published February* 20, 1862.]

AN ACT to legalize the official acts of Andrew Sweep, as justice of the peace in the county of Dane, and to allow him to file his bond and oath of office as justice of the peace, in pursuance of his election in the year 1861.

(*See Supplement to local laws.*)

CHAPTER 32.

[*Published February* 20, 1862.]

AN ACT to amend chapter 206 of the general laws of 1861, entitled "an act to prevent the spread of noxious weeds."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section one of chapter 206 of the general laws of 1861, is hereby amended so as to read as follows: "It shall be the duty of any and all persons and corporations residing upon or occupying any lands within this state, either as owner, lessee or otherwise, to destroy thereon all weeds of the species known as the snap dragon, the Canada thistle, and the burrdock, [burbock,] at such time and in such manner as shall effectually prevent their bearing seed." Destruction of certain weeds.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved February 19, 1862.

CHAPTER 33.

[*Published February* 20, 1862.]

AN ACT to amend sections 59 and 17 of chapter 117 of the revised statutes, entitled "of county courts."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amendment.

SECTION 1. Section 17 of chapter 117 of the revised statutes, is hereby amended by inserting after the word "court" in the second line, the words "or the judge thereof." Section 59 of chapter 117 of the revised statutes, is hereby amended by inserting after the word "cause" in the second line, the following words: "or matter which shall come before said court or the judge thereof."

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved February 19, 1862.

CHAPTER 34.

[*Published February* 20, 1862.]

AN ACT to amend chapter 37 of the general laws of 1859, entitled "an act in addition to chapter 86 of the revised statutes, entitled 'of alienation by deed of the proof and recording of conveyances, and the cancelling [canceling] of mortgages.'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Validity of deeds heretofore executed.

SECTION 1. Chapter thirty-seven of the general laws of 1859, is hereby amended by adding at the end of section one, the words: "All deeds heretofore executed and acknowledged in the manner above specified, shall have the same force as evidence, and be recorded in the same manner and with the like effect, as conveyances executed and acknowledged in pursuance of the provisions of said chapter eighty-six of the revised statutes."

SECTION 2. This act shall take effect and be in force from and after its publication.

Approved February 19, 1862.

CHAPTER 35.

[*Published February* 20, 1862.]

AN ACT to provide for the payment of certain outstanding indebtedness against the swamp land fund.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The state treasurer is hereby authorized and required to pay out of the swamp land fund income, all accounts that have been or may be legally audited for the year one thousand eight hundred and sixty-one, payable out of the swamp land fund: *provided*, that nothing herein contained shall be so construed as to require or compel the state treasurer to pay any such account which has been, either in part or in whole, illegally audited. From what fund payable. Proviso.

SECTION 2. There is hereby appropriated out of the swamp land fund income, a sufficient amount of money to pay the accounts to which reference is had in section one of this act. Appropriation.

SECTION 3. This act shall take effect and be in force from and after its passage.

Approved February 19, 1862.

CHAPTER 36.

[*Published February* 24, 1862.]

AN ACT to amend section one of chapter 60 [of the] revised statutes, being an act entitled "of bills of exchange and promisory [promissory] notes."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section one of chapter sixty of the revised statutes, shall read as follows: "All notes in writing made and signed by any person, whereby he shall promise to pay to any other person or order, or unto the bearer, any sum of money therein mentioned, shall be due and payable as therein expressed, and shall Promissory notes—how negotiable.

have the same effect and shall be negotiable in like manner, as inland bills of exchange, according to the custom of merchants."

Approved February 19, 1862.

CHAPTER 37.

[*Published February* 24, 1862.]

AN ACT to authorize the state superintendent of public instruction to apportion certain school money to the county of Marquette, for joint school district number three, of the towns of Newton and Crystal Lake.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amount to be apportioned.

SECTION 1. The state superintendent of public instruction is hereby authorized and required to apportion for joint school district number three, of the towns of Newton and Crystal Lake, in the county of Marquette, the same amount and proportion of school money for the year 1862, that the said school district would be entitled to receive had the district clerk made the annual report as required by law: *provided*, that the report of said school district shall be now returned, duly authenticated, to the state superintendent.

Proviso.

SECTION 2. This act shall take effect from and after its passage.

Approved February 19, 1862.

CHAPTER 38.

[*Published February* 28, 1862.]

AN ACT to extend the time of the payment of taxes in the county of Wood.

(*See supplement to local laws.*)

CHAPTER 39.

[*Published February* 24, 1862.]

AN ACT to legalize the acts of H. H. Tredwell, a justice of the peace of Crystal Lake, Marquette county.

(*See supplement to local laws.*)

CHAPTER 40.

[*Published February* 25, 1862.]

AN ACT to amend an act entitled "an act to consolidate and amend the act to incorporate the city of Milwaukee, and the several acts amendatory thereof," approved February 20, 1852.

(*See supplement to local laws.*)

CHAPTER 41.

[*Published February* 25, 1862.]

AN ACT to prescribe the manner of serving notices in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Whenever the bank comptroller of this state is required by law to notify any banking association of any depreciation in the value of the securities transferred to the state treasurer in trust by such association, he shall cause a written or printed notice, containing a statement of such depreciation, and the amount thereof, and signed by him, to be personally served upon some officer of such association, if to be found within this state; and if no such officer can be found in this state, then such service may be made at the office or place of business of such association, upon any person in charge thereof, if any such office or place of business can be

How and by whom notice may be served.

found in this state; such service to be made by a sheriff of some county of this state. If such sheriff shall certify to the bank comptroller that no officer, or place of business of such banking association can, after due diligence, be found in this state, the said comptroller shall file such certificate in his office, and shall cause a copy of such notice to be published in the state paper, at least once in each week, for four successive weeks.

Notice by publication.

Ibid.

SECTION 2. Such publication shall be deemed and taken to be, and shall be held by all the courts of this state, to constitute a sufficient notice to any such banking association of the facts therein contained and set forth, and shall authorize the bank comptroller to proceed, in all respects, as he might have done had such notice been personally served upon the officer or officers of such banking association.

Duty of sheriff.

SECTION 3. It is hereby made the duty of any sheriff in this state, upon request of the bank comptroller, to serve said notice in the manner provided for in this act; or in case of his inability, after due inquiry, to find any person on whom to serve it, to certify that fact, over his official signature, to the said bank comptroller. He shall be entitled to receive the same fees for his services as are fixed by law for the service of a summons in personal actions. The state paper shall be entitled to receive the same fees that are now allowed by law for publishing legal notices, for publishing the said notice.

Fees.

SECTION 4. This act shall be in force from and after its publication.

Approved February 20, 1862.

CHAPTER 42.

[*Published February* 25, 1862.]

AN ACT appropriating money to pay the clerks of the joint select committee on the expenditures of the war fund.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Appropriation.

SECTION 1. There is hereby appropriated out of

any moneys in the state treasury not otherwise appropriated, a sum sufficient to pay the clerks of the select committee appointed under joint resolution No. 2, A., the compensation of any such clerk or clerks not to exceed the sum of three dollars per day for each clerk so employed.

Accounts to be audited by secretary of state.

SECTION 2. The secretary of state is hereby authorized to audit and allow the accounts of any clerk so employed, on presentation of the certificate of the chairman of said committee, setting forth the number of days' service rendered, and the compensation per day.

SECTION 3. This act shall take effect and be in force from and after its passage.

Approved February 20, 1862.

CHAPTER 43.

[*Published February* 28, 1862.]

AN ACT to extend the time for the collecting of taxes in the city of Racine, in the county of Racine.

(*See supplement to local laws.*)

CHAPTER 44.

[*Published February* 28, 1862.]

AN ACT to extend the time for the collection of taxes in the county of Eau Claire.

(*See supplement to local laws.*)

CHAPTER 45.

[*Published February* 28, 1862.]

AN ACT to authorize the extention [extension] of the time for the collection of taxes in the town of Jefferson, in the county of Bad Axe, [Ax,] of this state.

(*See supplement to local laws.*)

CHAPTER 46.

[*Published February* 28, 1862.]

AN ACT to amend chapter 160 of the revised statutes, entitled "actions and writs of scire facias and quo warranto."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Service of summons.

SECTION 1. Whenever an action shall be brought in the supreme court, by the attorney general, in the name of the state, for the purpose of vacating the charter, or annulling the existence of a corporation, the summons shall be personally served upon some officer of the corporation named as defendant therein, if to be found within this state. Such service may be made by the sheriff of any county within the state. If any sheriff to whom such summons shall have been delivered for service, shall make return thereon, that no officer of such corporation can, after due diligence, be found within this state, and shall verify the same by his affidavit, the attorney general shall cause a copy of such summons to be published in the state paper, once in each week for at least four successive weeks. Upon filing such proof of that publication as is required by subdivision three of section 13 of chapter 124 of the revised statutes, with the clerk of said court, the service of the summons shall be deemed complete, and the court shall proceed as though personal service had been made on such corporation.

Ibid. by publication.

Defense.

SECTION 2. If the summons shall not be personally served, the corporation or their legal representatives shall, on application and sufficient cause shown, be allowed to defend said action at any time before final judgment, but not thereafter.

Sale of property and disposition of proceeds.

SECTION 3. If in any such action, judgment shall be rendered against such corporation, and a receiver of its property, or of any property in which it has any interest, legal or equitable, be appointed, the court may, in its discretion, order a sale of all such property, and a disposition of the proceeds thereof among the creditors of such corporation. The court may also, in its discretion, order all costs and disbursements, duly taxed by the proper authority, to be paid from the effects in the hands of the receiver, to the persons entitled there-

to or to the attorney general, taking his or their receipt therefor.

SECTION 4. A sum sufficient to pay all necessary costs and disbursements incurred in bringing or prosecuting such actions, to be audited by the secretary of state, is hereby appropriated out of any money in the treasury not otherwise appropriated. It is hereby made the duty of the receiver appointed in any such action, or the duty of the attorney general, in case such moneys shall be delivered to him by such receiver, to repay to the state any money advanced by the state on account [of] such costs and disbursements. Appropriation.

SECTION 5. This act shall take effect and be in force from and after its publication.

Approved February 20, 1862.

CHAPTER 47.

[*Published February* 28, 1862.]

AN ACT authorizing the secretary of state to audit certain accounts.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The secretary of state is hereby authorized to audit the accounts of all persons who are employed by the superintendent of public property for the state, to labor in and about the capitol, and draw his warrants on the state treasury for such amounts as shall be found due such persons. Such accounts shall be verified by the person so employed, and be accompanied by a certificate of the superintendent of public property, as to the amount due and as to the correctness of such account. Accounts of laborers about the capital.

SECTION 2. There is hereby annually appropriated out of the state treasury, out of any money not otherwise appropriated, a sum of money sufficient to pay such warrants, and the state treasurer is hereby directed to pay such warrants when presented. Appropriation.

Arrearages.

SECTION 3. This act shall apply to arrearages now due and unpaid to any persons heretofore employed by the superintendent of public property.

SECTION 4. This act shall be in force and effect from and after its passage.

Approved February 20, 1862.

CHAPTER 48.

[*Published February* 27, 1862.]

AN ACT to provide for the reassessment of taxes in the city of Janesville, for the years 1854, 1855, 1856 and 1857.

(*See supplement to local laws.*)

CHAPTER 49.

[*Published February* 28, 1862.]

AN ACT to legalize the official acts of Xavier Martin, as justice of the peace of the county of Brown.

(*See supplement to local laws.*)

CHAPTER 50.

[*Published February* 28, 1862.]

AN ACT to change the time of holding annual meetings in school district number one, in the town of Waukesha.

(*See supplement to local laws.*)

CHAPTER 51.

[*Published February* 28, 1862.]

AN ACT to authorize and empower the city council of the city of Fond du Lac to extend the time for the collection of taxes in said city.

(*See supplement to local laws.*)

CHAPTER 52.

[*Published February* 28, 1862.]

AN ACT to repeal chapter three hundred and sixty-one of the private and local laws of 1857, entitled "an act to change the name of the village of Grafton, in the county of Ozaukee," and to restore the name thereby changed.

(*See supplement to local laws.*)

CHAPTER 53.

[*Published February* 28, 1862.]

AN ACT to extend the time for collecting taxes in the city of Watertown.

(*See supplement to local laws.*)

CHAPTER 54.

[*Published February* 28, 1862.]

AN ACT to extend the time for the collection of taxes in the town of Sparta, in the county of Monroe.

(*See supplement to local laws.*)

CHAPTER 55.

[*Published February* 28, 1862.]

AN ACT to authorize the extension of the time for the collection of taxes in the town of Windsor, in the county [of] Dane, in this state.

(*See supplement to local laws.*)

CHAPTER 56.

[*Published March* 1, 1862.]

AN ACT to extend the time for collecting taxes in the town of Center, La Fayette county, Wisconsin.

(*See supplement to local laws.*)

CHAPTER 57.

[*Published March* 5, 1862.]

AN ACT to amend chapter ninety-four of the revised statutes, entitled "of the sale of lands for the payment of debts by executors, administrators and guardians."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Advertisement and sale of lands lying in different counties.

SECTION 1. Section twenty-five of chapter ninety-four of the revised statutes, entitled "of the sale of lands for the payment of debts by executors, administrators and guardians," is hereby amended by adding thereto the following: "*provided*, that where the lands are adjacent and lie in two or more counties, the sale shall be had in either of such counties; and in such case the judge of the county court is authorized to direct, by order, in which of such counties the lands shall be sold; and if there be a newspaper published in more than one of such counties, the said judge shall direct in which of such newspapers the notice of sale

shall be published, as provided in the preceding section."

Approved February 28, 1862.

CHAPTER 58.

[*Published March* 5, 1862.]

AN ACT to amend section four of chapter one hundred and twenty-four of the revised statutes, entitled "of the manner of commencing civil actions."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Filing of summons—state tax.

SECTION 1. Section four of chapter one hundred and twenty-four of the revised statutes, is hereby amended so that the same shall read as follows, viz.: "The summons must be filed with the clerk, and the state tax on the action paid within ten days after the service of an answer or demurrer in the action. In case no answer or demurrer be served, then the summons shall be filed with the clerk, and the state tax on the action paid at the time of entering up judgment, or applying for relief in the action; and if the summons be not filed and the state tax paid, as herein provided, the action may be dismissed by the court. In case a motion is made by the adverse party to dismiss such action for such cause, the court may allow the action to stand: *provided*, the plaintiff forthwith pays the state tax and five dollars costs of motion."

Approved February 28, 1862.

CHAPTER 59.

[*Published March* 5, 1862.]

AN ACT to amend section thirty-two, chapter ninteen [nineteen] of the revised statutes, entitled "of the duties of overseers in regard to the collection and application of highway taxes."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When tax to be collected and applied.

SECTION 1. Section thirty-two of chapter ninteen [nineteen] of the revised statutes, shall be amended so as to read as follows: "Every overseer of highways shall cause at least two-thirds of the amount of highway tax assessed in his district, to be collected and expended, as the law requires, before the first day of July, and the residue by such time or times as the supervisors of the respective towns may designate, each year, except in case of McAdam roads. Then, in that case, the time for expending the tax above provided, shall be extended to the last Monday in March, of each year."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved February 28, 1862.

CHAPTER 60.

[*Published March* 5, 1862.]

AN ACT to amend chapter thirty-five of the general laws of 1859.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Costs in actions of which justices have jurisdiction, commenced in courts of record.

SECTION 1. Chapter thirty-five of the general laws of 1859, is hereby amended so as to read as follows: "In all actions on contracts of which justices of the peace have jurisdiction, which shall hereafter be commenced in any court of record, no costs shall be recovered by the party plaintiff except in actions wherein real estate shall be attached, and in actions wherein the amount claimed by the plaintiff, in his complaint

duly verified, shall exceed the sum of one hundred dollars; but in such last mentioned actions the party prevailing shall recover only such costs as the court, in its discretion, shall adjudge, not exceeding in amount the taxable costs in such action, whether the recovery exceed fifty dollars or less."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved February 28, 1862.

CHAPTER 61.

[*Published March* 5, 1862.]

AN ACT to pay the general fund for stationery furnished the war department.

(*See supplement to local laws.*)

CHAPTER 62.

[*Published March* 5, 1862.]

AN ACT to amend section 115, 117 and 120 of chapter 15 of the revised statutes, entitled "of towns and town officers: powers and duties of towns."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section one hundred and seventeen of chapter fifteen of the revised statutes, is hereby amended by adding thereto the following words: "*provided*, that such supervisors may, in their discretion, cause to be erected as permanent land marks, posts surrounded by mounds; such mounds to be not less than three feet high, and not less than six feet in diameter at the base. Such posts shall be marked as provided for the marking of stone monuments." Land marks.

SECTION 2. Sections one hundred and twenty, one hundred and twenty-one [and] one hundred and twenty- Amendment.

two of said chapter, are hereby amended by striking out the word "stone" wherever it occurs in said section.

Approved February 28, 1862.

CHAPTER 63.

[*Published March* 5, 1862.]

AN ACT to repeal chapter 162 of the general laws of 1861, entitled "an act to define the boundaries of the judicial circuits therein mentioned."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Repeal. SECTION 1. Chapter 162 of the general laws of 1861, entitled "an act to define the boundaries of the judicial circuits therein mentioned," is hereby repealed.

Reinstated. SECTION 2. The several counties mentioned in said chapter 162, shall be attached to and constitute part of the several judicial circuits to which they were severally attached prior to the passage of said act, and all acts or parts of acts repealed by said act, are hereby reinstated and declared to be in full force.

Approved March 1, 1862.

CHAPTER 64.

[*Published March* 5, 1862.]

AN ACT to amend section 8 of an act entitled "an act to amend chapter 175 of the private and local statutes of the state of Wisconsin, entitled 'an act to amend an act to incorporate the city of Fond du Lac, approved, March 19th, 1852,'" approved February 24th, 1855.

(*See supplement to local laws.*)

CHAPTER 65.

[*Published March* 5, 1862.]

AN ACT to amend chapter seven of the revised statutes, entitled "of general and special elections; of the manner of conducting the same, and of the canvass."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When terms of office to commence.

SECTION 1. Section ninety-nine of chapter seven of the revised statutes, entitled "of general and special elections; of the manner of conducting the same, and of the canvass," is hereby amended so as to read as follows, viz.: "The regular term of office of all state and county of ficers, when elected for a full term, shall commence on the first Monday of January next succeeding their election."

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 1, 1862.

CHAPTER 66.

[*Published March* 5, 1862.]

AN ACT to amend chapter 190 of the general laws of 1859, entitled "an act to regulate insurance companies not incorporated by the state of Wisconsin," approved March 17, 1859.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Additional information to be embodied in statement.

SECTION 1. Section one of chapter one hundred and ninety of the general laws of 1859, entitled "an act to regulate insurance companies not incorporated by the state of Wisconsin," approved March 17th, 1859, is hereby amended by inserting after the words "Fifteenth. The act of incorporation of said company," as follows, viz.: "Sixteenth. The total number of policies issued during the year next preceding the making of the report, and the amount of risk thereon. Seventeenth. The number of policies cancelled [canceled] during the

year next preceding the date of the report, and the amount at risk thereon. Eighteenth. The total amount of premiums received during the year next preceding the date of the report. Nineteenth. The total amount of expenditures during the same period, and for what purposes. Twentieth. The whole number of policies in force at the date of such report, and the amount at risk thereon. Twenty-first. The amount necessary to safely reinsure all outstanding risks, and to discharge all existing obligations of the company."

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 1, 1862.

CHAPTER 67.

[*Published March* 5, 1862.]

AN ACT to allow the towns in Waukesha county to appropriate their license money.

(*See supplement to local laws.*)

CHAPTER 68.

[*Published March* 7, 1862.]

AN ACT for the relief of the town of Farmington, in the county of Polk.

(*See supplement to local laws.*)

CHAPTER 69.

[*Published March* 8, 1862.]

AN ACT to amend section four of chapter one hundred and seventy-eight of the revised statutes, entitled "of the change of venue in criminal cases."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When venue changed, recognisance to be required.

SECTION 1. Section four of chapter one hundred and seventy-eight of the revised statutes, entitled "of the change of venue in criminal cases," is hereby amended so as to read as follows, viz.: "Section 4. When the court has ordered a change of venue, they shall require the accused, if the offense be bailable, to enter into a recognizance with good and sufficient sureties, to be approved by the court or judge, in such sum as the court or judge may direct, conditioned for his appearance in the court to which the venue is changed, at the first day of the next term thereof, and to abide the order of such court; and in default of such recognizance, a warrant shall be issued, directed to the sheriff, commanding him safely to convey the prisoner to the jail of the county where he or she is to be tried, by the first day of the next term of the circuit court to be holden in such county, there to be safely kept by the jailor [jailer] thereof, until discharged by due course of law."

Repeal.

SECTION 2. This act shall take effect and be in force from and after its passage and publication; and so much of any law as conflicts with the provisions of this act, is hereby repealed.

Approved March 8, 1862.

CHAPTER 70.

[*Published March* 10, 1862.]

AN ACT to change the time of holding the circuit court [courts] in certain counties of this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When terms to be held.

SECTION 1. Hereafter the terms of the circuit court [courts] in and for the several counties hereinafter named, shall be held at the several times hereinafter mentioned, instead of the times now provided by law, viz.:

Clark county. In the county of Clark, on the first Monday of September and the third Monday of May, of each year.

Jackson. In the countyof Jackson, on the second Monday of September and the second Monday of May, of each year.

La Crosse. In the county of LaCrosse, on the third Monday of September and the first Monday of April, in each year.

Monroe. In the county of Monroe, on the first Monday of October and the third Monday of April, of each year: *provided*, that the first April term shall be held in 1863, and shall not be construed as in any wise interfering with the spring term of 1862, as now provided by law.

Bad Ax. In the county of Bad Ax, on the second Monday of October and the fourth Monday of April, in each year.

Crawford. In the county of Crawford, on the third Monday of October and the fourth Monday of May of each year.

Buffalo. In the county of Buffalo, on the fourth Monday of October and the first Monday of May, of each year.

Trempealeau. In the county of Trempeleau [Trempealeau,] on the first Monday of November and the first Wednesday after the first Tuesday of April, of each year.

Richland. In the county of Richland, on the second Monday of November and the first Monday of June, of each year.

When process, &c., returnable.

SECTION 2. All process, actions, proceedings or recognizances heretofore commenced, issued or taken in or from said courts, or either of them, and all proceedings pending therein or returnable thereto, whether by recognizances or otherwise, shall be held and taken as returnable at the times named in this act as the times for holding said courts respectively.

Repeal.

SECTION 3. All acts and parts of acts conflicting

with the provisions of this act, are hereby repealed, and this act shall take effect and be in force from and after its passsge and publication.

Approved March 8, 1862.

CHAPTER 71.

[*Published March* 10, 1862.]

AN ACT to change the time for advertising lands for sale by county treasurers for delinquent taxes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Not to be advertised prior to first Monday of April.

SECTION 1. Lands returned to county treasurers for delinquent taxes, as provided by law, shall not be advertised for sale by any county treasurer in this state, prior to the first Monday in April next after the return thereof.

No charge for advertising prior to said day.

SECTION 2. The delinquent taxes and charges returned on any such lands, may be paid to the county treasurer, as otherwise provided by law, at any time prior to said first Monday in April, without any charge or fee for advertising the same being made or preferred against the person paying such taxes.

Copies of act to be transmitted to county treasurers.

SECTION 3. The secretary of state shall forthwith submit [transmit] by mail a printed copy of this act to each county treasurer in this state; and this act shall take effect and be in force from and after its passage and publication.

Approved March 8, 1862.

CHAPTER 72.

[*Published March* 10, 1862.]

AN ACT to amend chapter 216 of the general laws of 1861, entitled "an act to apportion the state into senate and assembly districts."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Trenton part o 18th senate dis.

SECTION 1. The town of Trenton, in the county of Dodge, shall hereafter constitute a part of the eighteeth senate district.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 8, 1862.

CHAPTER 73.

[*Published March* 10, 1862.]

AN ACT to extend the time for the collecting of taxes in the town of Eagle, in the county of Waukesha.

(*See supplement to local laws.*)

CHAPTER 74.

[*Published March* 10, 1862.]

AN ACT to amend chapter twenty-seven of the revised statutes, entitled "of the [state] superintendent of public property, and the purchase and distribution of stationery for the use of the state."

(*See supplement to local laws.*)

CHAPTER 75.

[*Published March* 10, 1862.]

AN ACT to legalize the assessment roll of the town of Franklin, Manitowoc county, Wisconsin, for the year 1861.

(*See supplement to local laws.*)

CHAPTER 76.

[*Published March* 10, 1860.]

AN ACT to exempt certain articles from attachment, execution or sale on final process.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Any sword, plate, books, or other articles, presented or given to any person by congress, the legislature of either of the United States, or by either body of congress or of such legislature, whether presented by a vote or raised by subscription of the members of either of the aforesaid bodies, shall be and forever remain exempt from attachment, execution or sale, on any final process issued from any court in this state. Articles exempted.

SECTION 2. This act shall take effect from and after its passage and publication.

Approved March 5, 1862.

CHAPTER 77.

[*Published March* 10, 1862.]

AN ACT to authorize the village of Menasha to appropriate certain moneys.

(*See supplement to local laws.*)

CHAPTER 78.

[*Published March* 10, 1862.]

AN ACT appointing a day for a tax sale in the village of Menasha.

(*See supplement to local laws.*)

CHAPTER 79.

[*Published March* 10, 1862.]

AN ACT to amend section two of chapter 110 of the revised statutes, entitled "of the registration of marriages, births and deaths," and to repeal section 10 of chapter 109 of the revised statutes, entitled "of marriages."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Penalty for not returning certificate.

SECTION 1. Section two of chapter 110 of the revised statutes, is hereby amended by adding thereto the following: "And if any person whose duty it shall be to return such certificate, shall neglect to return the same, as provided by this section, he shall forfeit for every such neglect, a sum not exceeding one hundred dollars, nor less than tenty-five [twenty-five] dollars."

SECTION 2. Section ten of chapter 109 of the revised statutes, is hereby repealed.

SECTION 3. This act shall take effect from and after its passage and publication.

Approved March 8, 1862.

CHAPTER 80.

[*Published March* 10, 1862.]

AN ACT to amend chapter 85 of the general laws of 1860, entitled "an act to limit the liabilities [liability] of counties in certain cases."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Court may appoint counsel—his fees.

SECTION 1. Section one of chapter thirty-five of the general laws of 1860, entitled "an act to limit the liability of counties in certain cases," is hereby amended so as to read as follows, viz.: "Whenever, in a criminal action or proceeding, any attorney or counselor shall defend the person charged with any offense, by order of the court, on the ground that the accused is destitute of the means to employ counsel, the county in which such criminal action or proceeding may arise, or shall be pending, shall only be liable to pay such attorney or counselor for his services, such sum as the court in which such service shall be performed, shall, by an order to be entered in the minutes thereof, certify to be a reasonable compensation therefor, and which sum shall in no case exceed fifteen dollars per day for each day actually occupied in such trial or proceeding."

SECTION 2. This act shall take effect from and after its passage and publication.

Approved March 8, 1862.

CHAPTER 81.

[*Published March* 10, 1862.]

AN ACT to amend chapter 135 of the general laws of 1859, entitled "an act for the relief of Marquette county."

(*See supplement to local laws.*)

CHAPTER 82.

[*Published March* 10, 1862.]

AN ACT to authorize the town of Prairie du Chien to issue bonds for [the] payment of certain indebtedness.

(*See supplement to local laws.*)

CHAPTER 83.

[*Published March* 10, 1862.]

AN ACT to extend the time for the sale of lands for unpaid taxes for the year 1861, in the city and county of La Crosse.

(*See supplement to local laws.*)

CHAPTER 84.

[*Published March* 10, 1862.]

AN ACT for the relief of the Outagamie county agricultural society.

(*See supplement to local laws.*)

CHAPTER 85.

[*Published March* 10, 1862.]

AN ACT to amend section thirty-one of chapter one hundred and forty of the revised statutes, entitled "of miscellaneous proceedings in civil actions, and general provisions."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Commissioners. SECTION 1. Section thirty-one of chapter one hundred and forty of the revised statutes, entitled "of miscellaneous proceedings in civil actions, and general

proceedings [provisions,"] is hereby amended by striking out the following words, viz.: "But such court commssisoners as are mentioned in this chapter, shall be appointed by the circuit court for the express purpose of performing the duties authorized by this chapter."

Approved March 8, 1862.

CHAPTER 86.

[*Published March* 10, 1862.]

AN ACT to confer on circuit courts power to vacate towns or parts of towns, in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Cities, villages, &c., may be vacated, if taxes are not paid by the proprietors.

SECTION 1. The circuit courts are hereby authorized and empowered to vacate any city, town or village, or any addition or additions to any city, town or village, or any part or parts of such city, town or village, or any additions, on application made by the board of supervisors of the county in which such city, town or village is situated, for good cause. Such application may be heard at any general or special term of the circuit court, held in and for the county in which such city, town or village, or addition, is situated. It is intended hereby to confer discretionary power on the circuit courts to vacate any city, town or village, or addition thereto or part thereof, whether the proprietor or proprietors thereof are residents or non-residents, in all cases where the proprietor or proprietors have neglected or shall hereafter neglect to pay the taxes assessed and levied on the same, and the county in which the same is situated has acquired, or shall hereafter acquire, an interest therein, by virtue of tax deeds, tax certificates or otherwise; and the court to which such application shall be made, shall hear proofs of the facts and circumstances.

Application statutes.

SECTION 2. Sections thirteen, fourteen and fifteen of chapter forty-seven of the revised statutes, so far as

the same can be applicable, shall govern in proceedings under this act.

Approved March 8, 1862.

CHAPTER 87.

[*Published March* 11, 1862.]

AN ACT to amend chapter 103 of the general laws of 1858, entitled "of companies transacting business of insurance," ["an act in relation to all companies transacting the business of life, fire and marine insurance within this state."]

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Annual statement to be verified by secretary.

SECTION 1. Section one of chapter one hundred and three of the general laws of 1858, approved May 15th, 1858, and published in the revised statutes, and there entitled "of companies transacting business of insurance," ["an act in relation to all companies transacting the business of life, fire and marine insurance within this state,"] is hereby amended by striking out the words "or principal officer and majority of their directors or trustees," and inserting in lieu thereof the words "and secretary."

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 8, 1862.

CHAPTER 88.

[*Published March* 11, 1862.]

AN ACT instructing the commissioners of school and university lands to deed certain lands therein described to Martin Clancey.

(*See supplement to local laws.*)

CHAPTER 89.

[*Published March* 14, 1862.]

AN ACT to authorize the investment of the school funds in the bonds of the state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Bonds of the state to be preferred.

SECTION 1. The commissioners of the school and university lands are hereby authorized and directed to invest, in preference to all other loans and investments, the principal of the school fund now in the treasury, or which may be hereafter paid in, in bonds of the state of Wisconsin, issued under the provisions of chapters 239 and 307 of the general laws of 1861, and chapter 13 of the acts of the extra session of 1861, now remaining in the hands of the state officers unsold. Interest shall be paid on the funds so invested at the rate of seven per centum per annum, on the thirty-first day of May, in each year; and a sum sufficient to pay such interest is hereby annually appropriated out of the state treasury for that purpose.

SECT. 2. The sum of three thousand dollars of the principal of the school fund is excepted from the operation [operation] of the provisions of the foregoing section.

SEC. 3. This act shall take effect from and after its passage and publication.

Approved March 14, 1862.

CHAPTER 90.

[*Published March* 18, 1862.]

AN ACT to provide for the reassessment of taxes in the city of Beloit, for the years 1856, 1857, 1858 and 1859.

(*See supplement to local laws.*)

CHAPTER 91.

[*Published March* 19, 1862.]

AN ACT to amend section seven of chapter 186 of the revised statutes, entitled "of the education of the deaf and dumb."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Residents of this state not to be excluded by the reception of those from other states.

SECTION 1. Section seven of chapter one hundred and eighty-six of the revised statutes, entitled "of the education of the deaf and dumb," is hereby amended so as to read as follows: "All deaf and dumb persons residing in this state, of the age of twelve years, and under the age of twenty-five years, of suitable capacity to receive instruction, shall be received and taught in said school; and no one of such persons shall be excluded from the privileges and benefits thereof, by reason of the reception of persons from other states or territories."

Repeal.

SECTION 2. All acts and parts of acts in conflict with the provisions of this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 15, 1862.

CHAPTER 92.

[*Published March* 19, 1862.]

AN ACT to amend section one of chapter seven of the general laws passed at the extra session of the legislature, commencing on the 15th day of May, 1861, entitled "an act to amend an act entitled 'an act to declare the rights and privileges of such persons as may enroll themselves in the service of the country,' approved April 17, 1861."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Persons not exempted from civil process.

SECTION 1. Section one of chapter seven of the general laws passed at the extra session of the legislature, commencing on the fifteenth day of May, 1861, is hereby amended by adding to said section the fol-

lowing: "*provided, further*, that the said section one shall not be so construed as to exempt any person or persons from civil process, who now are or may be hereafter indebted as executor, administrator, guardian or trustee; nor shall said section one be so construed as to exempt any person from civil process who now is or may hereafter be indebted as trustee or fiduciary agent, having or holding in his possession, as such trustee or fiduciary agent, or control, any moneys, goods or other property whatever; *and provided, further*, that in all actions against persons jointly indebted upon a contract in which an order may have been or may hereafter be made by the court in which said action is pending, staying or suspending the proceedings in said action as to one or more of the defendants in said action, according to the provisions of this act, the plaintiff may proceed in said action the same as if the summons therein had not been served upon said defendant or defendants who may have obtained, or who may hereafter obtain, a stay of proceedings as aforesaid, and as if no appearance had been entered in said action by said defendant or defendants; and if, on the trial of said action, the plaintiff recover judgment, it shall be entered and enforced, as provided in clause one of section eleven [of] chapter one hundred and twenty-four of the revised statutes; *and provided, further*, that neither this act nor the act to which this act is amendatory, shall be so construed as to exempt from the service of civil process or trial, nor shall said acts in any manner apply to, any person or persons who have heretofore or shall hereafter draw or receive any money from this state contrary to law, either as contractor or officer under the state."

Actions against persons jointly indebted on contract.

Not to extend to contractors or officers under the state.

SECTION 2. This act shall take effect and be in force from and after its publication.

Approved March 15, 1862.

CHAPTER 93.

[*Published March* 19, 1862.]

AN ACT to legalize the assessment roll of the town of Richmond, in Shawano [Shawanaw] county, for the year 1861.

(*See supplement to local laws.*)

CHAPTER 94.

[*Published March* 19, 1862.]

AN ACT to authorize the chairman of town supervisors to commence and prosecute suits in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Actions for unpaid balances of school money, &c.

SECTION 1. The chairman of supervisors in each town, may bring an action in the name of the town, upon the official bond of any previous town superintendent of common schools, for the recovery, with interest, of any unpaid balance of school moneys that shall appear to have been in his hands on leaving his office, either by the accounts rendered by such town superintendent or by other sufficient proof, and may prosecute to final judgment and execution, in the name of the original plaintiff, all actions heretofore commenced by any town superintendent upon the bond of his predecessor.

SEC. 2. All moneys collected under the provisions of this act, shall be paid over to the town treasurer, and by him apportioned among the several school districts, the same as other school moneys in his hands.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 15, 1862.

CHAPTER 95.

[*Published March* 19, 1862.]

AN ACT to change the time of the November term of the Outagamie county circuit court.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Fourth Monday.

SECTION 1. Chapter 51 of the general laws of 1859, is hereby amended by striking out the word "second"

in the ninth line of the first section, and inserting the word "fourth."

Approved March 15, 1862.

CHAPTER 96.

[*Published March* 17, 1862.]

AN ACT providing for the removal of the county seat of Pierce county.

(*See supplement to local laws.*)

CHAPTER 97.

[*Published March* 19, 1862.]

AN ACT for the relief of the Manitowoc county agricultural society.

(*See supplement to local laws.*)

CHAPTER 98.

[*Published March* 19, 1862.]

AN ACT to authorize the county board of supervisors of the county of Monroe, to draw orders for the payment of the salary of county superintendent of schools of said county.

(*See supplement to local laws.*)

CHAPTER 99.

[*Published March* 19, 1862.]

AN ACT in relation to corporations.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Court may order secretary to transfer stock.

SECTION 1. Whenever it shall be made to appear to any circuit court, by affidavit or otherwise, that the secretary of any corporation created by or existing under the laws of this state, has, upon proper demand, neglected or refused for two days to transfer, on the stock books of the said corporation, any stock which it is his duty to transfer, such court shall immediately issue an order requiring said secretary to show cause before said court, at some time named in said order, not more than ten days from the date of said order, why he should not transfer said stock, and shall, in said order, direct the manner of its service; and when said order is returnable, unless said secretary shows cause to the satisfaction of the court, why such stock should not be transferred, said court shall order such transfer to be made by said secretary, at such time and place as to said court shall seem reasonable, and may enforce the performance of said order as other orders of said court are enforced, by attachment.

SECTION 2. This act shall be published immediately, and be in force from and after its passage and publication.

Approved March 15, 1862.

CHAPTER 100.

[*Published March* 19, 1862.]

AN ACT to authorize the assessment of the real property of the town of Stockbridge, in the county of Calumet, for the year 1862.

(*See supplement to local laws.*)

CHAPTER 101.

[*Published March* 19, 1862.]

AN ACT to amend chap. [chapter] 362 of the gen. [general] laws of 1860, entitled "an act relating to the Milwaukee county court."

(*See supplement to local laws.*)

CHAPTER 102.

[*Published March* 19, 1862.]

AN ACT to regulate the sale of poisons.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Name, &c., of person to be recorded.

SECTION 1. No druggist, apothecary or other person dealing or trafficking in the same, shall sell or give away any poison or poisonous substances hereinafter enumerated, except practising physicians in their ordinary practice of medicine, without recording in a book, to be kept for that purpose, the name of the person receiving said poison, and his or her residence, together with the name and residence of some person as witness to such sale, excepting upon the written order or prescription of some practising physician, whose name must be attached to such order; and such book shall be kept open for inspection.

Poison sold, &c., to be labeled.

SEC. 2. No person shall sell, give or dispose of any poison or poisonous substances, except upon the order or prescription of a practising physician, without attaching to the vial, box or parcel containing such poisonous substance, a label with the name and residence of such person, with the word "*poison*" printed or written upon it, together with the name of such poison written or printed thereon, in plain and legible characters.

Names of poisons.

SEC. 3. These provisions shall apply to the following poisonous substances, excepting when sold in wholesale quantities of one pound or over, viz.: arsenic, aconite, atropia and its salts, cantharides, canabis, indi-

cus, chloroform, corrosive sublimate, cyanurets of potassium, croton oil, dataria, deadly nightshade, digitales, delphinea and its salts, elalerium, ergot and its preparations, henbane, laudanum, mercury, morphine, nux vomica, oil of bitter almonds, opium, oxalic acid, poison hemlock, prussic acid, silver, sugar of lead, strychnia, veratria and its salts, and zinc.

Penalty. SEC. 4. Any person violating any of the provisions of this act, shall, upon conviction, be deemed guilty of misdemeanor, and shall be punished by a fine not exceeding fifty dollars.

SEC. 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 15, 1862.

CHAPTER 103.

[*Published March* 20, 1862.]

AN ACT to amend chap. [chapter] 337 of the session laws of 1860 entitled "an act to incorporate religious societies."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Incorporators. SECTION 1. Section 1 of chapter 337 of the session laws of 1860, is hereby amended by inserting after the word "age" in the second line of said section, the words "not members of any religious congregation;" and section 4 of said chapter is hereby amended by striking out the word "five" where it last occurs in said section, and inserting the word "forty."

Explanatory. SEC. 2. This act and the act to which this is amendatory, shall not be deemed to repeal any part of chapter 66 of the revised statutes, but said chapter 66 is hereby declared in full force, in so far as relates to the incorporation of religious societies where the persons becoming incorporators are, at the time of such incorporation, members of a religious society or congregation having regular meetings for divine worship.

SEC. 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 17, 1862.

CHAPTER 104.

[*Published March* 19, 1862.]

AN ACT for the relief of the Eau Claire county agricultural society.

(*See supplement to local laws.*)

CHAPTER 105.

[*Published March* 20, 1862.]

AN ACT for the relief of the Lake Superior agricultural society of Douglas [Douglass] county.

(*See supplement to local laws.*)

CHAPTER 106.

[*Published March* 20, 1862.]

AN ACT to amend an act entitled "an act to revise, consolidate and amend the act to incorporate the city of Oshkosh, and the several acts amendatory thereof," approved March 22d, 1861.

(*See supplement to local laws.*)

CHAPTER 107.

[*Published March* 21, 1862.]

AN ACT to amend chapter 108 of the private laws of 1858, entitled "an act to reduce the law incorporating the city of Janesville, and the several acts amendatory thereof, into one act, and amend the same," and to amend chapter 153 of the private [general] laws of 1860, entitled "an act to amend an act entitled 'an act to reduce the law incorporating the city of Janesville, and the several acts amendatory thereof, into one act, and to amend the same,' approved March 25th, A. D. 1858, and all acts amendatory of said act."

(*See supplement to local laws.*)

CHAPTER 108.

[*Published March* 22, 1862.]

AN ACT to amend chapter 37 of the revised statutes, entitled "of the support of bastards."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Defendant may examine witnesses in his own behalf.

SECTION 1. In all proceedings before a justice of the peace, under chapter 37 of the revised statutes, the accused shall have the right of examining witnesses on his own behalf, as provided in section 13 of chapter 176 of the revised statutes, in regard to the "arrest and examination of offenders."

Amendment.

SECTION 2. Section six of the said chapter 37, is hereby amended by striking out the word "present" in the fifth line of said section, and inserting in lieu thereof the word "living."

Ibid.

SECTION 3. Section four of chapter 37 of the revised statutes, is hereby amended by inserting after the word "section" in the second line thereof, as follows: "and there is probable cause to believe the accused person guilty."

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 20, 1862.

CHAPTER 109.

[*Published March* 22, 1862.]

AN ACT to repeal chapter 181 of the private and local laws of 1859, entitled "an act to provide for a special tax to improve a road therein named."

(*See supplement to local laws.*)

CHAPTER 110.

[*Published March* 22, 1862.]

AN ACT to repeal chapter 216 of the general laws of 1859, entitled "an act to amend chapter 184 of the revised statutes, entitled 'of inquest [inquests] of the dead, (*in the county of Milwaukee.*')"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter two hundred and sixteen of the general laws of 1859, entitled "an act to amend chapter one hundred and eighty-four of the revised statutes, entitled 'of inquests of the dead,'" is hereby repealed, and all laws thereby repealed or suspended, are hereby restored and declared to be in full force. Repeal.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 20, 1862.

CHAPTER 111.

[*Published March* 22, 1862.]

AN ACT to amend chapter seventy-eight of the private and local laws of 1861, approved March 19th, 1861, entitled "an act to amend an act entitled 'an act to incorporate the city of Mineral Point,' approved March 2d, 1857, and [also] acts amendatory thereof, approved March 25th, 1858, March 17th, 1859, and March 9th, 1860."

(*See supplement to local laws.*)

CHAPTER 112.

[*Published March* 22, 1862.]

AN ACT to explain and amend chapter eight of the laws of the extra session of 1861, entitled "an act to provide for the aid of volunteers in the service of the United States or of this state," approved May 25, 1861.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Volunteers in regiments of infantry and cavalry, and in batteries of artillery, entitled to extra pay.

SECTION 1. Chapter eight of the general laws of the extra session of 1861, is hereby amended as follows: "The benefits of said chapter eight, to which this is amendatory, shall apply to all regiments of infantry and cavalry, and batteries of artillery, which have been mustered into the service of the United States or of this state, since the sixteenth day of April, 1861, and all regiments in process of formation at the present time: *provided*, that no persons enlisting in any regiment of infantry or cavalry, or battery of artillery, in the service of the United States or of this state, hereafter to be organized, and not already in process of formation, shall be entitled to the benefits of this act; *and provided, further*, that no non-commissioned officer, musician or private, who shall desert or be dishonorably dismissed from the service, shall be entitled to the benefits of this act, or the act of which this is amendatory."

The term "family" defined.

SECTION 2. The term "families" or "family," where it occurs in chapter eight aforesaid, shall be construed to mean the wife living with, and actually dependant [dependent] upon the volunteer for support at the time of his enlistment; or, having no wife as above, then his children under fourteen years of age; having no wife or children, then infirm and indigent parent or parents actually dependant [dependent] upon the labor of said volunteer for support, at the time of his enlistment: *provided*, that no one family or person shall be entitled to draw more than five dollars per month under the provisions of this act, or the act to which this is amendatory.

Rules of evidence.

SECTION 3. The secretary of state shall prescribe rules of evidence necessary to carry out the provisions of this act, and of the act to which this act is amendatory.

Penalty for making false certificate.

SECTION 4. If any officer or person shall willfully make a false certificate or statement, to accompany any application for compensation provided by said chapter eight, as explained by this act, or shall knowingly affix a jurat to a false statement or affidavit, to be used in obtaining the aid provided by said chapter, explained as aforesaid, he shall forfeit double the amount received from the state treasurer upon such application, to be recovered, with costs, on complaint of any person who shall bring a suit therefor in the name of the state; one-half the forfeit to go to the complainant, and the remainder to be paid to the county treasurer in the county where the suit is brought, to be placed to the credit of the state of Wisconsin; and such officer or person shall, in addition to the foregoing penalty, be liable to indictment as for a misdemeanor, and if convicted, shall be punished by fine and imprisonment, at the discretion of the court.

Commanding officers to make monthly reports.

SECTION 5. The commanding officers of all regiments, companies or other bodies of volunteers from this state in active service, or in this state in process of formation, shall report to the adjutant general on the first day of each month, or as soon thereafter as practicable, the names of all non-commissioned officers, musicians or privates who have died, deserted, been made prisoners by the enemy, or honorably discharged or dishonorably dismissed from the service, since their last report, with the respective dates of such deaths, desertions, discharges or dismissals, a copy of which report shall be forthwith transmitted by the adjutant general to the secretary of state. If the commanding officers aforesaid shall fail or neglect to make the report as aforesaid, for the space of twenty days after the time appointed in this section, then the secretary of state shall withhold all warrants for such extra compensation to the members of such delinquent regiment, company or body of volunteers, until full and complete returns shall have been received.

If not made, secretary of state to withhold warrants.

Copies to be sent to officers.

SECTION 6. The secretary of state shall cause copies of this act to be sent to the officers of every regiment of Wisconsin volunteers in active service or in process of formation.

SECTION 7. This act shall take effect and be in force from and after its passage.

Approved March 21, 1862.

CHAPTER 113.

[*Published March* 27, 1862.]

AN ACT providing for appeals in certain cases, in the county of St. Croix.

(*See supplement to local laws.*)

CHAPTER 114.

[*Published March* 26, 1862.]

AN ACT to amend section 40 of chapter 140 of the revised statutes, entitled "of miscellaneous proceedings in civil actions, and general provisions."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When copies of papers not to be served.

SECTION 1. Section forty of chapter one hundred and forty of the revised statutes of this state, is hereby amended by adding thereto the following words: "And it shall not be necessary, in any action pending in any of the courts of this state, upon any application or motion to the court, judge or court commissioner, to serve copies of the papers upon which such application or motion is founded, which have been previously filed or served in said action."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1862.

CHAPTER 115.

[*Published March* 26, 1862.]

AN ACT to extend the time for the redemption and for the publication of a list of certain unredeemed lots and lands sold for taxes in the county of Sheboygan.

(*See supplement to local laws.*)

CHAPTER 116.

[*Published March* 26, 1862.]

AN ACT to repeal chapter forty of the general laws of 1857, entitled "an act to provide for the geological and agricultural survey of the state," and chapter 334 of the general laws of 1860, entitled "an act to perfect the geological survey of the state."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter forty of the general laws of 1857, entitled "an act to provide for the geological and agricultural survey of the state," and chapter three hundred and thirty-four of the general laws of 1860, entitled "an act to perfect the geological survey of the state," are hereby repealed. Repeal.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1862.

CHAPTER 117.

[*Published March* 26, 1862.]

AN ACT to perfect the records of Green Lake county.

(*See supplement to local laws.*)

CHAPTER 118.

[*Published March* 26, 1862.]

AN ACT authorizing the clerk of the county board of supervisors of Portage county to assess and levy a tax on the town of Pine Grove, in said county, and the sheriff in said county to collect the same.

(*See supplement to local laws.*)

CHAPTER 119.

[*Published March* 26, 1862.]

AN ACT to repeal chapter 333 of the private and local laws of 1854, entitled "an act to vacate an alley in the village of Jefferson."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Repeal.

SECTION 1. Chapter 333 of the private and local laws of 1854, entitled "an act to vacate an alley in the village of Jefferson," is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1862.

CHAPTER 120.

[*Published March* 26, 1862.]

AN ACT in relation to county surveyors.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Plot and field notes of all surveys to be recorded, &c.

SECTION 1. Every county surveyor shall keep a record of the plot and field notes of each survey made by him or his deputies, in a book or books provided by the county supervisors for that purpose, a certified copy of which record, or of any other record of his office, he shall furnish to any person requesting the same. The records of all surveys hereafter recorded, shall be so made and arranged as to be easy of reference. The said surveyor shall also preserve the original field notes and calculations of each survey made by him or his deputies, and shall deliver them, together with the records of his office, to his successor.

Fees of surveyors.

SECTION 2. The said surveyor and his deputies may demand and receive for their services the following fees, to wit: For each day's service, three dollars; for each mile traveled in going from his office to the place of rendering such service and in returning, ten cents; for

a plot and certificate, except town plots, fifty cents; for recording a survey, fifty cents.

Bearings.

SECTION 3. In all surveys, the bearings shall be expressed as nearly as may be according to the true meridian, and the declination of the magnetic meridian from the true meridian shall be given, with the year, month and day of the survey, except in the survey of an east and west or north and south line, when the declination of the needle from the line surveyed, with the date thereof, shall be sufficient.

Interior quarter section corners.

SECTION 4. Whenever a surveyor is required to make a subdivision of a section, as determined by the United States survey, except where the section is fractional, he shall establish the interior quarter section corner therefor, at a point which is the same distance from the east quarter section corner that it is from the west quarter section corner, and the same distance from the north quarter section corner that it is from the south quarter section corner; and he shall, where practicable, fix the precise locality of the said interior quarter section corner, by setting at the said point a stone, the cubical contents of which shall be equivalent to not less than one cubic foot, or by setting a post in a mound of earth or stones, or by driving a post firmly into the ground, and writing in his field notes the bearings and distances from the same to two bearing trees, which shall be suitably marked "¼ S." on the upper blaze, and "B. T." on the lower blaze thereof; and any less subdivision than a quarter section shall be made and established in a similar manner.

Ibid. when the section is fractional.

SECTION 5. Where the section is fractional, the surveyor shall establish the interior quarter section corner, and the eighth and the sixteenth corners therefor, at such points that whatever the fractional lines of the said section exceed or fall short of the United States survey, shall be divided between the entire and the fractional part of the said lines, in direct proportion to the length of the said parts.

Ibid. in north or west boundary of town.

SECTION 6. Whenever a surveyor is required to establish a quarter section corner not established by the United States survey, in the north or west boundary of a township, he shall set the same in the middle of the north or west side (as the case may be) of the section to which the said quarter section corner belongs, and in the line determined by the quarter section corner for

the section next north or west, as the case may be, except that he shall set the north quarter section corner of section six, forty chains from the north-east corner of the said section, unless the north line of the section shall exceed or be less than the original survey, in which case the quarter section corner shall be set at a distance from the north-east corner, in direct proportion to such excess or deficiency, and except, also, that he shall set the west quarter section corner of section six, at a like distance from the south-west corner thereof.

Ibid. established by U. S. survey, when not found.

SECTION 7. Whenever a quarter section corner, as established by the United States survey, cannot be found, it shall be the duty of the surveyor required to establish the same, to set it in the middle of the section line in which it belongs, except in fractional sections, in which case it shall be set at distances from the section or meander corners between which it belongs, which are directly proportional to the entire and fractional parts of the line, as determined by the United States survey.

Establishing section corners which cannot be found.

SECTION 8. Whenever a surveyor is required to establish a section corner which cannot be found, he shall set the said corner half way between the quarter section corners next north and south of the same, and at such distances from the quarter section or meander corners next east and west, as are directly proportional to the same distances, as determined by the United States survey, except that where there are fractional lines running north or south from said corner, the same shall be established at distances from the corners next north or south, which are directly proportional to the said lines.

Repeal.

SECTION 9. Sections 149, 150, 152 and 155 of chapter 13 of the revised statutes, and chapter 109 of the general laws of 1858, and the section revived by said chapter 109, and all other acts and parts of acts conflicting with the provisions of this act, are hereby repealed; and this act shall take effect from and after its passage and publication.

Approved March 21, 1862.

CHAPTER 121.

[*Published March* 26, 1862.]

AN ACT to authorize the board of supervisors of Marathon county to audit and pay certain claims.

(*See supplement to local laws.*)

CHAPTER 122.

[*Published March* 26, 1862.]

AN ACT directing the disposition of moneys received for license granted in the several towns in the county of Milwaukee, in pursuance of chapter 35 of the revised statutes, entitled "of excise."

(*See supplement to local laws.*)

CHAPTER 123.

[*Published March* 26, 1862.]

AN ACT to provide for keeping in repair the highways, streets, alleys and bridges of the city of Oshkosh.

(*See supplement to local laws.*)

CHAPTER 124.

[*Published March* 26, 1862.]

AN ACT to amend section four of an act entitled "an act to amend the city charter of the city of Fond du Lac," approved March 3, 1857.

(*See supplement to local laws.*)

CHAPTER 125.

[*Published March* 26, 1862.]

AN ACT to legalize the official acts of J. H. Duester, as justice of the peace in the county of Milwaukee.

(*See supplement to local laws.*)

CHAPTER 126.

[*Published March* 27, 1862.]

AN ACT to provide for the loan of the drainage fund in the county of Jackson, in this state.

(*See supplement to local laws.*)

CHAPTER 127.

[*Published March* 27, 1862.]

AN ACT to authorize the publication of the list of the delinquent taxes of the year 1858, in the county of Chippewa.

(*See supplement to local laws.*)

CHAPTER 128.

[*Published March* 27, 1862.]

AN ACT to amend section 2 of chapter 62 of the general laws of 1860, entitled "an act concerning the terms of court in the 4th judicial circuit."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

June term in Fond du Lac county changed.

SECTION 1. Section two of chapter 62 of the general laws of 1860, entitled "an act concerning the terms

of court in the fourth judicial circuit," is hereby amended by substituting the word "May" in lieu of the word "June," where it occurs in the second line of said section.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 21, 1862.

CHAPTER 129.

[*Published March* 27, 1862.]

AN ACT to amend chapter 28 of the revised statutes, entitled "of [the] school and university lands."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Forfeited school, university and swamp lands to be advertised in the counties in which they lie.

SECTION 1. Section sixty-one of chapter 28 of the revised statutes, entitled "of the school and university lands," is hereby amended [so as] to read as follows: "Whenever any school, university or swamp lands shall have been forfeited for the non-payment of either principal or interest, and shall have remained forfeited for three months, the school land commissioners shall advertise such land for sale, by publication of notices thereof for six weeks, in a newspaper published in the county where the lands lie, if there be any, and if not, then in some newspaper published nearest thereto. Such sale shall be made, either in the county where the lands lie, or at the capitol in Madison, on some day not less than three months, nor more than six months, after the first publication of said notice. The notice shall specify the time and place of sale, a description of the lands to be sold, the amount due thereon, and the names of the persons to whom the certificates of sale were issued. And it shall be the further duty of the said commissioners to give notice of the sale of such forfeited lands, by advertising in the newspaper published in Madison, in which the laws are officially published, for six weeks successively, the time when and

Notice of sale to be published in official state paper.

the place where such sale will be held, and the county in which such lands are situated, the last of which notices shall be published at least one week previous [previously] to the time of commencing such sale, and shall specify only the time when and the place where said sale will be held, and the county or counties in which such lands are situate."

Repeal.

SECTION 2. So much of any act as requires the publication of notice of sale of any of the lands mentioned in the preceding section, by description, in any newspaper published at Madison, except when said lands are situate in the county of Dane, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1862.

CHAPTER 130.

[*Published March* 27, 1862.]

AN ACT to authorize the commissioners of school and university lands to convey a certain island in the Chippewa river to Ira Mead.

(*See supplement to local laws.*)

CHAPTER 131.

[*Published March* 27, 1862.]

AN ACT to suspend the sale of certain lands mortgaged to the state or held by volunteers.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When lands mortgaged to the state to be sold.

SECTION 1. No lands mortgaged to the state of Wisconsin, to secure the payment of any loan heretofore made to any person now a private soldier or non-commissioned officer in the service of the United States, or

of either of the loyal states, nor any school, university or swamp lands, or the lands usually denominated "state lands," held by certificate or otherwise, by any such person now in the service of the United States, or either of the loyal states, shall be sold for the non-payment of any interest due, or which may become due, on any such mortgage or loan, or on any such certificate, untill [until] the expiration of three months after such person is discharged from such service, by the expiration of the war, or the term of his enlistment, or otherwise.

Penalties to be remitted, &c.

SECTION 2. If any sale has been made of any lands so mortgaged as aforesaid, or held by certificate as aforesaid, or any penalties have been attached to any such lands so mortgaged, or so held as aforesaid, then, and in either case, it shall be the duty of the commissioners of school and university lands to remit all such penalties, and to cancel all sales of such lands so made, where the state was the purchaser, and the lands have not been resold; and if any such penalty shall have been paid by or for any such person as aforesaid, on any lands so mortgaged or held as aforesaid, then the commissioners aforesaid shall credit such sum or sums so paid as penalty towards the interest which may be accruing upon any such lands.

Redemption.

SECTION 3. Any such private soldier or non-commissioned officer, his heirs, executors, administrators or assigns, shall have the right, at any time within three months after his discharge from service, or within three months after the expiration of the war, to redeem any lands so mortgaged to secure the payment of any loan made to any such person (being in the service as aforesaid,) or any lands held by certificate as aforesaid, by paying to the state treasurer or said commissioners, the interest on the amount due the state on such loan or certificate, at the rate of seven per cent. per annum, from and after the first day of January, A. D. 1861, up to the date of such payment, anything contained in any law of this state to the contrary notwithstanding.

Application

SECTION 4. The provisions of this act shall not apply to any lands sold by, or which may be transfered [transferred] by any such person, after the first day of January, A. D. 1862; and it shall also be made to appear to the commissioners, by the affidavit of some person of good moral character, or by certificate from the proper officer, that the person for whom the benefit of

this act is claimed, was on or before the third day of December, 1861, a volunteer in such service as aforesaid: *provided*, that any application for relief under this act shall be made to the commissioners aforesaid, on or before the 30th day of May, A. D. 1862.

SECTION 5. This act shall take effect and be in force from and after its passage.

Approved March 22, 1862.

CHAPTER 132.

[*Published March* 27, 1862.]

AN ACT to vacate certain additions to the plat of La Crosse; also, to vacate certain village plats in La Crosse county.

(*See supplement to local laws.*)

CHAPTER 133.

[*Published March* 27, 1862.]

AN ACT to provide for the disposal and expenditure of the drainage fund moneys in Shawanaw county.

(*See supplement to local laws.*)

CHAPTER 134.

[*Published March* 28, 1862.]

AN ACT to amend chapter 151 of the general laws of 1859, entitled "an act relating to proceedings for the collection of demands against ships, boats and vessels, and to repeal chapter 150 of the revised statutes."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Relating to judgments.

SECTION 1. That section thirty-one of chapter one

hundred and fifty-one of the general laws of 1859, entitled "an act relating to proceedings for the collection of demand [demands] against ships, boats and vessels, and to repeal chapter one hundred and fifty of the revised statutes," is hereby amended so as to read as follows: "Section 31. If the plaintiff in an action under the provisions of this act, shall recover a judgment for ten dollars or more, he shall recover his costs and disbursements, as in other actions in the circuit court: *provided*, that if the plaintiff shall, in any such action, recover ten dollars or more, and less than twenty-five dollars, he shall recover no more costs than damages. If the plaintiff shall recover less than ten dollars, he shall recover only disbursements, unless the defense shall have been, in the opinion of the court, unreasonably or unfairly conducted, in which case he shall recover costs and disbursements, not exceeding the amount of debt or damages recovered. If there be an appearance on the part of the defendant, and the plaintiff, for any reason, fail to recover in the action, the defendant shall recover his costs and disbursements against such plaintiff."

Security to be given.

SECTION 2. Section thirty-four of the act of which this is amendatory, is hereby amended so as to read as follows: "Section 34. Before any warrants [warrant] shall issue under the provisions of this chapter, the plaintiff, or some one on his behalf, shall make and file with the clerk of the court from whence the warrant is to issue, an undertaking, in a sum double the amount claimed, conditioned to the effect that the plaintiff will pay all costs which may be adjudged against him: *provided*, that in no case shall the undertaking be required be in a greater sum than two hundred dollars."

Approved March 21, 1862.

CHAPTER 135.

[*Published March* 28, 1862.]

AN ACT relating to district attorneys, and amendatory of section 85 of chapter 13 of the revised statutes, entitled "of counties and county officers."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Salaries of district attorneys.

SECTION 1. Section eighty-five of chapter thirteen of the revised statutes, entitled "of counties and county officers," is hereby amended so as to read as follows: "Section 85. The district attorneys shall severally receive such salary for their services as the board of supervisors of the proper county shall allow, but the salary of no district attorney shall be increased or diminished during the term for which he shall have been elected. All fees and costs recovered in civil actions, in which the county is the successful party, shall be paid into the county treasury, for the use and benefit of the county; and it shall not be competent or lawful for the county board of supervisors to give or pay said fees and costs, or either, or any part thereof, to the said district attorney, as part of his salary, or in addition to his salary; and every order made by said board for that purpose, shall be absolutely void."

SECTION 2. This act shall be in force from and after its publication.

Approved March 22, 1862.

CHAPTER 136.

[*Published March* 28, 1862.]

AN ACT to amend chapter 327 and chapter 332 of the private and local laws of 1856, entitled "an act to consolidate and amend the act to incorporate the city of Watertown, and the several acts amendatory thereof."

(*See supplement to local laws.*)

CHAPTER 137.

[*Published March* 28, 1862.]

AN ACT to change the name of Bad Ax county to that of Vernon.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The name of Bad Ax county, in this state, is hereby changed to Vernon county, and by this latter name the said county shall be called and known in popular nomanclature and in law, in all places and for all purposes; and wherever, in any law of this state, and in all deeds, mortgages and public records, the words "Bad Ax" occur, having reference to said county of Bad Ax, (now county of Vernon,) said words shall be construed and understood in the same manner as if the word "Vernon" were printed or written in lieu thereof. Name changed.

SECTION 2. This act shall take effect and be in force from and after the first day of May, A. D. 1862.

Approved March 22, 1862.

CHAPTER 138.

[*Published March* 28, 1862.]

AN ACT to organize a new town in the county of Kewaunee.

(*See supplement to local laws.*)

CHAPTER 139.

[*Published March* 28, 1862.]

AN ACT to authorize the board of supervisors for the county of Fond du Lac, to make out a list of grand jurors in said county, for the year 1862.

(*See supplement to local laws.*)

CHAPTER 140.

[*Published March* 28, 1862.]

AN ACT to authorize the city of Oshkosh to equalize the assessment rolls of the year 1861, of the several wards in said city.

(*See supplement to local laws.*)

CHAPTER 141.

[*Published March* 28, 1862.]

AN ACT to provide for the removal of the county seat of Green Lake county.

(*See supplement to local laws.*)

CHAPTER 142.

[*Published March* 29, 1862.]

AN ACT to provide for the election of the city surveyor of the city of Milwaukie [Milwaukee] by the people.

(*See supplement to local laws.*)

CHAPTER 143.

[*Published March* 28, 1862.]

AN ACT to repeal chapter 87 of the general laws of 1859, [entitled] "an act to amend section 59 of chapter 133 of the revised statutes, entitled 'of costs and fees.'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Fees for legal advertising.

SECTION 1. Section 59 of chapter 133 of the revised statutes, is hereby amended so as to read as follows:

"For publishing any other notice, or other order, citation, summons, or any other proceeding or advertisement required by law to be published in any newspaper, not more than forty cents per folio for the first insertion, and twenty cents per folio for each insertion after the first."

SECTION 2. All acts and parts of acts which conflict with this act, are hereby repealed.

Approved March 27, 1862.

CHAPTER 144.

[*Published March* 27, 1862.]

AN ACT to provide for the relief of the town of New Richmond, in St. Croix county.

(*See supplement to local laws.*)

CHAPTER 145.

[*Published March* 29, 1862.]

AN ACT to amend chapter 24 [94] of the revised statutes, entitled "of the sale of lands for the payment of debts by executors, administrators and guardians."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 41 of chapter 94 of the revised statutes, entitled "of the sale of lands for the payment of debts by executors, administrators and guardians," is hereby amended so as to read as follows: "Section 41. All sales and conveyances of land made by executors or administrators, pursuant to the provisions of this chapter, shall be subject to all charges thereon by mortgage or otherwise existing at the time of the death of the testator or intestate, where such mortgage or charge is upon a single lot or tract of land; and in case the estate of the deceased shall be in any way liable for

Sales to be made subject to incumbrances.

the amount secured by any such mortgage, or for any such charge, such sale shall not be confirmed by the judge of the county court, until the purchaser shall execute a bond to the executor or administrator, as required in this chapter, in the case of a sale of a contract for the purchase of land, on which payments are to become due: *provided*, that in cases where the charge, by mortgage or otherwise, is upon two or more lots or parcels of land, greater in value than the amount of said mortgage or liens thereon, the court or judge ordering the sale, on being satisfied that it would be most beneficial to the parties interested in said land, that the same be sold, freed from such incumbrance, may so order; in which case, sufficient of the moneys made by the sale, shall be appropriated or invested, by order of the county court, on confirming the sale, to pay and satisfy the said lien, and the balance that may remain shall be applied in course of administration as assets in the hands of the executor or administrator."

Proviso.

Approved March 27, 1862.

CHAPTER 146.

[*Published March* 29, 1862.]

AN ACT to fix the compensation of witnesses attending upon legislative committees.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Compensation.

SECTION 1. The compensation of all witnesses who have attended or shall hereafter attend upon the joint select committee for investigating the expenditure of the war fund, or any other legislative committee appointed at the present session of the legislature, is hereby fixed at two dollars per day for attendance, and ten cents per mile one way for travel to attend upon such committee.

Secretary of state to audit accounts.

SECTION 2. The secretary of state is hereby authorized and directed to audit the accounts of such witnesses, upon the certificate of the chairman or clerk of the committee before which any such witness has attended, which certificate shall state the length of time such witness

has attended, and the distance by him or her actually traveled; and the account so audited shall be paid by the state treasurer out of any moneys in his hands not otherwise appropriated.

SECTION 3. This act shall take effect and be in force from and after its passage and publication, and shall be published immediately after its passage.

Approved March 27, 1862.

CHAPTER 147.

[*Published March* 29, 1862.]

AN ACT to amend section 5 of chapter 35 of the revised statutes, entitled "of excise."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 5 of chapter 35 of the revised statutes, entitled "of excise," is hereby amended so as to read as follows: "If any person shall vend, sell, deal or traffic in, or for the purpose of evading this chapter, give away any spirituous, ardent or intoxicating liquors, or drinks, in any quantity whatever, without having first obtained license therefor, according to the provisions of this chapter, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished therefor by a fine of not less than ten nor more than forty dollars, besides the costs of suit; or in lieu of such fine, by imprisonment in the county jail of the proper county, not to exceed sixty days and not less than twenty days; and in case of punishment by fine as above provided, such person shall, unless the fine and costs be paid forthwith, be committed to the county jail of the proper county until such fine and all costs are paid, or until discharged by due course of law; and in case of a second or any subsequent conviction of the same person during any one year, the punishment may be both by fine and imprisonment, in the descretion of the court."

Persons selling without licenses, guilty of misdemeanor—punishment therefor.

Approved March 27, 1862.

CHAPTER 148.

[*Published March* 29, 1862.]

AN ACT to appropriate to A. P. Hodges, states [state] prison commissioner, a certain sum of money therein named.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

For current expenses.

SECTION 1. There is hereby appropriated to A. P. Hodges, states [state] prison commissioner, out of any money in the state treasury not otherwise appropriated, the sum of fifteen thousand dollars, to defray the current expences [expenses] of the states [state] prison for the year 1862; the said fifteen thousand dollars to be drawn from the treasury quarterly in advance, to commence on the first day of January, 1862; and the said commissioner shall return a detailed account of his disbursements to the governor, at the end of each quarter.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 27, 1862.

CHAPTER 149.

[*Published March* 28, 1862.]

AN ACT relative to publishing the notice of tax sale and the delinquent list in the county of Columbia.

(*See supplement to local laws.*)

CHAPTER 150.

[*Published March* 29, 1862.]

AN ACT to legalize the publication of the clerk's delinquent tax list for the year 1861, in the county of Shawanaw.

(*See supplement to local laws.*)

CHAPTER 151.

[*Published March* 29, 1862.]

AN ACT to vacate [the] village plat of Osceola city, Shawano [Shawanaw] county.

(*See supplement to local laws.*)

CHAPTER 152.

[*Published March* 29, 1862.]

AN ACT to enable the city of Kenosha to readjust and arrange its indebtedness.

(*See supplement to local laws.*)

CHAPTER 153.

[*Published March* 29, 1862.]

AN ACT directing the commissioners of school and university lands to cancel the mortgage therein named.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Mortgage executed by Bryan Traynor.

SECTION 1. The commissioners of school and university lands are hereby directed to discharge and cancel the mortgage executed by Bryan Traynor to the state of Wisconsin, upon the south half of the north-east quarter, and the north-west quarter of the south-east quarter of section number twenty, township number ten north, range thirteen east, dated July 15th, A. D. 1858, to secure the payment to the state of the sum of five hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 28, 1862.

CHAPTER 154.

[*Published March* 31, 1862.]

AN ACT providing for a lien for labor and service upon logs and lumber in certain counties.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Lien for labor and service on logs, etc.

amended 1865 p 603

Amended 1866 Cap 66.

SECTION 1. Any person, company or corporation, that may do or perform any labor or services in cutting, falling, hauling, driving, running, rafting, booming, cribbing or towing any logs or timber in the counties of Pierce, St. Croix, Polk, Dallas, Burnet, Douglas, [Douglass,] La Pointe and Ashland, in this state, shall have a lien thereon for the amount due for such labor or services, and the same shall take precedence of all other claims thereon. The provisions of this act shall apply to all such labor or services that may have been done or performed prior to the passage of this act, so far as the provisions of this act can be made applicable thereto, and the person, company or corporation that may have done or performed the same, can comply with the provisions of this act.

Provisions of act to apply on labor prior to passage of act.

Petition or statement required to perpetuate lien.

SEC. 2. No such debt, demand or claim shall remain a lien on any such logs or timber, unless a petition or statement thereof, in writing, under oath by the petitioner, or some one in his behalf, shall be made and filed in the office of the clerk of the circuit court of the proper county, at the time or times hereinafter specified. Such statement or petition shall briefly set forth and state the nature of such claim or demand, the amount due, and a description of the logs or timber upon or against which the lien is claimed. If such labor and services be done and performed and completed, between the first day of November and the first day of May, then such petition or statement shall be filed on or before the first day of June next thereafter; but if the same shall be done and performed, either in part or in whole, after the first day of May, then such petition of statement shall be filed within thirty days after the completion or last day of such labor and services; and suit shall be commenced for the recovery and enforcement of such claim or demand under the provisions of this act, within four months after the filing of such statement or petition.

When petition, &c., to be filed.

When suits shall be commenced.

Lien may be enforced by attachment.

SEC. 3. Any person, company or corporation, having a lien upon or against any logs or timber, pursuant to the provisions of this act, or of any other law, may enforce the same by attachment against such logs or timber, in the circuit court of the proper county, upon the conditions and in the manner prescribed by chapter one hundred and thirty of the revised statutes, entitled "of proceedings against debtors by attachment," so far as the same can be made applicable thereto, and not herein otherwise provided. Before any attachment shall be executed, the petitioner or claimant, or some one in his behalf, shall make and annex thereto an affidavit, stating that the defendant named therein, (being the claimant or petitioner,) and specifying the amount of such indebtedness, as near as may be, over and above all legal set-offs; and such affidavit shall, also, show that such indebtedness is due for, or accrued for, such labor or service on logs or timber, as entitles the plaintiff to a lien thereon, describing the logs and timber; and such affidavit shall also state that the plaintiff has filed his petition or statement for a lien.

Affidavit required.

How suits and proceedings shall be prosecuted.

SEC. 4. All suits or proceedings in the premises, in the circuit court, shall be commenced and prosecuted as any other civil suit, with the power and provision of proceeding by attachment against the property upon which lien is claimed, as is provided in proceedings by attachment, by chapter one hundred and thirty of the revised statutes, except as herein otherwise provided, and therein not applicable thereto.

Nature of attachment.

SEC. 5. The attachment shall require the sheriff, or other proper officer of the proper county, to attach and safely keep the logs or timber described in such affidavit, or so much thereof as may be necessary to satisfy the plaintiff's claim, with costs, disbursements, charges and expenses.

Amount necessary for attachment to issue.

SEC. 6. No attachment shall be executed under the provisions of this act, in the circuit or county court, unless the amount stated in such affidavit is due to the plaintiff, over and above all legal set-offs, shall be the sum of one hundred dollars or upwards.

Plaintiff not required to give security except in certain cases.

SEC. 7. The plaintiff in any proceedings to enforce such lien as herein provided, shall not be required to give the undertaking or security for costs or damages required by section five of said chapter one hundred and thirty of the revised statutes, unless required by an

order made by the court, the judge thereof, or by the county judge, or a court commissioner of the county in which such attachment is issued; and no such order shall be made, unless the defendant shall make an affidavit, showing that he has a good and valid defence [defense] in whole or in part, setting out the nature of the defence, [defense,] and to how much and what portion thereof; and when the defence [defense] is only to a portion of the plaintiff's claim, before any such order shall be made, the defendant shall pay to the plaintiff that portion of the claim to which there is no defence [defense,] and such payment shall not affect the jurisdiction of the court, or prevent the recovery by the plaintiff of the same costs, disbursements and charges, had not the amount of his claim been reduced by such payment. No such order shall be made without giving at least two days' notice to the plaintiff.

When order shall be made.

Notice required.

Jurisdiction of justices.

SEC. 8. Justices of the peace, within their respective counties, shall have cognizance and jurisdiction of all cases arising under this act, (and of any cases for a lien upon or against personal property,) when the debt or demand claimed shall not exceed the jurisdiction of a justice of the peace; and any person, or company, or corporation, having any such lien, and the amount thereof being within the jurisdiction of a justice's court, shall be entitled to proceed, by attachment, in a justice's court, against the property upon which he has such lien, for the enforcement of the same, upon the conditions and in the manner prescribed in that portion of chapter one hundred and twenty of the revised statutes, relating [entitled] "of proceedings by attachment and against garnishees," so far as the same can be made applicable thereto, and not herein otherwise provided. Before any such warrant of attachment shall be issued, the plaintiff (that is, the person claiming such lien, or some person in his behalf,) shall make and file with the justice an affidavit setting forth the same facts, and making the same statement as is required in the affidavit to be attached to the attachment in the circuit court, as provided by section three of this act.

How persons having lien may proceed.

Affidavit required.

SEC. 9. The attachment issued by any justice of the peace shall be returned as an ordinary summons, and may be in the following form:

Form of attachment.

"County of ——, [—— of ——.]

"The state of Wisconsin to the sheriff or any constable of said county:

"You are commanded to attach the following goods and chattles, (here insert a description of the property described in such affidavit,) or so much thereof as shall be sufficient to satisfy the sum of ———, with interest and costs, and disbursements of suit, in whosesoever hands or possession the same may be found in your county, and so provide that the same, so attached, may be subject to further proceedings thereon, as the law requires; and also summon ——, if to be found, to be and appear before me, at my office in said ——, on the —— day of ——, A. D. 18—, at —— o'clock in the —— noon, to answer to ——, to his damage one hundred dollars or under.

"Given under my hand at ——, this —— day of ——, A. D. 18—.

"J. P., Justice of the peace."

Justices to conform to law of justices' courts.

SEC. 10. In all their proceedings, justices of the peace shall conform to the provisions of the law governing justice's courts, so far as the same can be made applicable, and as near as may be to the provisions of this act, as they apply in the circuit court, unless otherwise herein expressly provided: *provided, however*, that the justice shall, in no case, require the plaintiff or plaintiffs to give security for costs, unless the defendant or defendants shall first make and file with said justice an affidavit, setting forth that the defendant has a good and valid defence [defense] to the whole of the plaintiff's demand.

Proviso.

Attachment—how served.

SEC. 11. All attachments issued by any justice of the peace, shall be served and returned as ordinary writs of attachment are served and returned in justice's court [courts.]

Defendant.

SEC. 12. In all suits or actions under the provisions of this act, the person, company or corporation liable for the payment of such debt or claim, shall be defendant.

Nature of judgment to be rendered.

SEC. 13. In all suits or actions under the provisions of this act, the court, jury or justice of the peace, who shall try the same, or make an assessment of damages therein, or make an inquest therein, shall, in addition to finding the sum due to the plaintiff, also find, gener-

ally, that the same is due for the labor and services for which the action was brought, and was performed on the logs or timber set forth in the complaint therein, and that the same is a lien thereon; and the court (or justice of the peace, as the case may be,) shall render judgment in accordance with such finding, and execution shall issue therefor; and such execution, in addition to the direction and commands contained in ordinary executions in civil actions, may direct and command that the said logs and timber, or so much thereof as shall be necessary for that purpose, be sold to satisfy such judgment, and all costs, charges and disbursements;

Proviso. *provided, however*, that if the court, jury or justice shall find that the amount due the plaintiff is not a lien upon the property described in the complaint, the plaintiff's action shall not be defeated thereby, but he shall be entitled to judgment as in other civil actions.

Officer may pay boomage. SEC. 14. The officer making the attachment, may pay the boomage thereon, not exceeding the rate per thousand on the quantity actually attached by him, and return the amount paid on the writ, which shall be included and taxed in the bill of costs as disbursements; but if paid after judgment, then the officer may charge and collect the same out of [the] property, as other costs or disbursements.

Action shall not be defeated. SEC. 15. The action or lien, under the provisions of this act, shall not be defeated by taking a note, unless it was taken in the discharge of the amount due, and of the lien.

Plaintiff shall allege. SEC. 16. The plaintiff shall allege in his complaint, the filing of such statement or petition for a lien. All such allegations relating thereto, shall be taken to be true, unless expressly denied by the defendant in his answer under oath, or by the affidavit of the defendant, or some one in his behalf.

Duty of clerk of circuit court. SEC. 17. The clerk of the circuit court of the proper county, is hereby required to file all such petitions or statements, and shall receive therefor twenty-five cents for each statement or petition filed, and when demanded shall give a certified copy thereof, for making

Fee. which he shall be entitled to receive the same fee allowed registers of deeds for making a copy of any record; and any such certified copy may be read and introduced in evidence in any of the courts of this state.

Appeal. SEC. 18. An appeal from any judgment rendered

by any justice of the peace, in any action or suit under the provisions of this act, may be taken, as provided in other civil actions before justices of the peace, and the same shall be taken in the same time and in the same manner.

Judgment may be reviewed.

SEC. 19. Any judgment rendered in the circuit or county court, in any proceeding under this act, may be reviewed by the supreme court in the same manner as in other civil actions.

When more than one claimant.

SEC. 20. Whenever there are more than one person having a claim upon the same raft of logs or timber, as hereinbefore provided, it shall be lawful for any one person having such a claim, to purchase the claims of those having claims against the same raft of logs or timber, and take a written assignment of such interest; and it shall be the duty of the person taking such assignment, to file the same with the petition required to be filed by this act; and the assignee is hereby authorized to commence an action, as in this act provided, for the whole of the sum so assigned to him, without making his assignors parties to the action.

Duty of assignee.

Jurisdiction of county court.

SEC. 21. The county court of any county having jurisdiction in civil actions, shall have cognizance and concurrent jurisdiction with the circuit court, in all cases arising under this act, when the demand claimed shall not exceed the jurisdiction of said court, and shall be governed by the provisions of this chapter relative to circuit courts.

SEC. 22. This act shall take effect and be in force from and after its passage and publication.

Approved March 27, 1862.

CHAPTER 155.

[*Published March* 28, 1862.]

AN ACT to authorize the board of supervisors of Sheboygan county, to raise a tax for the improvement of the harbor at the mouth of Sheboygan river, in said county.

(*See supplement to local laws.*)

CHAPTER 156.

[*Published March* 31, 1862.]

AN ACT to authorize the secretary of state to furnish county superintendents of schools with copies of the revised statutes and general laws.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Statutes, &c., to superintendents of schools.

SECTION 1. It shall be the duty of the register of deeds of each county in this state, whenever he forwards to the secretary of state a statement of the number of persons, officers and corporations in his county entitled by law to a copy of the laws of the last preceding session of the legislature, to include therein the superintendent of schools in his county; and he shall also designate how many such county superintendents are unsupplied with copies of the revised statutes; and the secretary of state is hereby authorized and required to deliver to such register, or to his order, copies of the revised statutes and of the general laws of each year, for the use of such county superintendents who shall be entitled to the same, and who shall deliver them to their successors in office, in the same manner as is now required by law of other county officers receiving the same.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 28, 1862.

CHAPTER 157.

[*Published March* 31, 1862.]

AN ACT to legalize the official acts of Russell H. Emerson, as justice of the peace in the county of La Fayette.

(*See supplement to local laws.*)

CHAPTER 158.

[*Published March* 31, 1862.]

AN ACT to legalize the official acts of Elisha B. Dean, as a notary public, residing in the county of Kewaunee.

(*See supplement to local laws.*)

CHAPTER 159.

[*Published April* 1, 1862.]

AN ACT to authorize the county of Jackson, in this state, to issue bonds to aid in the construction of a railroad to Black River Falls in said county.

(*See supplement to local laws.*)

CHAPTER 160.

[*Published March* 31, 1862.]

AN ACT to amend section one of chapter 162 of the general laws of 1860, entitled "an act to lay out a state road from Stevens Point to Eau Claire."

(*See supplement to local laws.*)

CHAPTER 161.

[*Published March* 31, 1862.]

AN ACT to legalize a public highway in Pierce county.

(*See supplement to local laws.*)

CHAPTER 162.

[*Published March* 31, 1862.]

AN ACT to repeal chapter 336 of the private and local [general] laws of 1860, entitled "an act to incorporate the village of Englsburg."

(*See supplement to local laws.*)

CHAPTER 163.

[*Published March* 31, 1862.]

AN ACT to provide for the payment of the county superintendent in the county of Wood.

(*See supplement to local laws.*)

CHAPTER 164.

[*Published April* 1, 1862.]

AN ACT to provide for the payment of the salary of the county superintendent of schools for Portage county.

(*See supplement to local laws.*)

CHAPTER 165.

[*Published March* 31, 1862.]

AN ACT to appropriate to joint committee on state prison, the sum of fifteen dollars each.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

$15 to each. SECTION 1. The sum of fifteen dollars is hereby appropriated to each of the following named persons, to

wit: Wm. L. Utley, S. M. Hay, G. W. Mitchell, A. W. Starks, Q. H. Barron, James Wadsworth, Samuel Miller and W. F. Watrous, joint standing committee on state prison, out of any money in the state treasury not otherwise appropriated, being payment in full for expenses incurred by said persons, in visiting the state prison at Waupun, as such committee, during the regular session of the legislature for the year eighteen hundred and sixty-two.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 28, 1862.

CHAPTER 166.

[*Published April* 1, 1862.]

AN ACT to repeal chapter 201 of the general laws of 1861, entitled "an act to amend 'an act to regulate insurance companies not incorporated by the state of Wisconsin,' approved March 17th, 1859."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The first line of section five of chapter 190 of the general laws of 1859, is hereby so amended as to read as follows: "A sum of money equal to three per cent. upon." License fee.

SECTION 2. All acts and parts of acts contravening the provisions of this act, and chapter 201 of the general laws of 1861, entitled "an act to amend 'an act to regulate insurance companies not incorporated by the state of Wisconsin,'" are hereby repealed. Repeal.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 28, 1862.

CHAPTER 167.

[*Published March* 31, 1862.]

AN ACT to amend chapter 28 of the revised statutes, entitled "of the school and university lands."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amendment.

SECTION 1. Section fifty-nine of chapter 28 of the revised statutes, is hereby amended by striking out the word "five" where it occurs in the third line of said section, and inserting in lieu thereof the word "three;" and section one hundred and six of the same chapter, as amended by chapter 270 of the general laws of 1860, is hereby amended by striking out the word "five" where it occurs in the said section before the word [words] "per cent.," and inserting in lieu thereof the word "three."

Approved March 28, 1862.

CHAPTER 168.

[*Published April* 1, 1862.]

AN ACT to repeal sections forty-four and forty-five of chapter twenty-eight of the revised statutes, entitled "of the school and university lands."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Repeal.

SECTION 1. Sections forty-four and forty-five of chapter twenty-eight of the revised statutes, are hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 28, 1862.

CHAPTER 169.

[*Published April* 1, 1862.]

AN ACT to amend section five of chapter 66 of the revised statutes, entitled "of corporations."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

By whom certificate to be recorded.

SECTION 1. That section 5 of chapter 66 of the revised statutes, be amended by striking out the words "the clerk of the board of supervisors," where the same occurs [occur] in said section, and inserting the words "the register of deeds."

Bonds, &c., to be transmitted to registers of deeds.

SECTION 2. All bonds and files relating to any incorporation, now in the office of the clerk [clerks] of the several boards of supervisors of this state, shall, by said clerk [clerks] be immediately transmitted to the office of the register of deeds of the proper county, to be by said register preserved in a convenient form for the inspection of any and all persons interested.

SECTION 3. This act shall take effect and be in force from and after the passage thereof.

Approved March 28, 1862.

CHAPTER 170.

[*Published April* 1, 1862.]

AN ACT to amend subdivision six of section 31 of chapter 134 of the revised statutes, entitled "of executions and proceedings supplementary thereto."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Additional exemptions.

SECTION 1. Subdivision six of section 31 of chapter 134 of the revised statutes, entitled "of executions and proceedings supplementary thereto," is hereby amended by adding thereto the following words, to wit: one gun, rifle or other firearm, not exceeding fifty dollars in value.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 28, 1862.

CHAPTER 171.

[*Published April* 1, 1862.]

AN ACT to amend an act entitled "an act to amend an act to incorporate the village of Horicon," approved March 29, 1855.

(*See supplement to local laws.*)

CHAPTER 172.

[*Published April* 1, 1862.]

AN ACT to change the time for holding the general terms of the circuit court in the county of Marquette, in the third judicial circuit, and to provide for a special term in said county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Terms of court.

SECTION 1. The general terms of the circuit court of the county of Marquette, shall hereafter be held on the third Monday in August and the third Monday in February, in each year.

Special term.

SECTION 2. On the third Monday in May, A. D. 1862, a special term of the circuit court in and for said circuit, shall be held by the judge thereof, at the court house in the village of Montello, in the county of Marquette, for the transaction of any and all business that may be done at a regular term, except the trial of issues of fact by a jury.

No other notice required.

SECTION 3. No notice of the holding of said special term shall be required, other than the passage and publication of this act.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 28, 1862.

CHAPTER 173.

[*Published April* 1, 1862.]

AN ACT to legalize the official acts of James T. Cragin, as town superintendent of schools of the town of Sterling, in the county of Polk.

(*See supplement to local laws.*)

CHAPTER 174.

[*Published April* 1, 1862.]

AN ACT to legalize the official acts of Frederick Egger, as justice of the peace in New Glaras, [Glarus,] Green county.

(*See supplement to local laws.*)

CHAPTER 175.

[*Published April* 1, 1862.]

AN ACT for the relief of Marathon county.

(*See supplement to local laws.*)

CHAPTER 176. amended post p 971

[*Published April* 1, 1862.]

AN ACT to establish a system of graded teachers' certificates, and to amend chapter 179 of the general laws of 1861.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Every applicant for a situation as teacher in any of the common schools of this state, shall be examined by the county superintendent of schools of

Examination of applicants.

his county, in regard to moral character, learning, and ability to teach, and if found qualified, shall receive a certificate as hereinafter provided.

Three grades of certificates.

SECTION 2. There are hereby established three grades of teachers' certificates, to be known as certificates of the first, second and third grade, respectively, as the case may be. Each certificate shall show the branches of study in which the holder of the same has been examined; also, the relative attainment of the applicant in each branch.

Examinations in third grade.

SECTION 3. Every applicant for a certificate of the third grade, shall be examined in orthoepy, orthography, reading, penmanship, intellectual and written arithmetic, primary grammar and geography; and if found qualified, shall receive a certificate which shall entitle the holder to teach in the town for which he applies, for one year from the date thereof.

Examinations in second grade.

SECTION 4. Every applicant for a certificate of the second grade, shall be examined in all the branches required for a certificate of the third grade, and in addition thereto, in grammatical analysis, physiology, physical geography, elementary algebra, United States history, and theory and practice of teaching; and if found qualified, shall receive a certificate which shall enable the holder to teach in any town in the county in which he is examined, for one year from the date thereof.

Examinations in first grade.

SECTION 5. Every applicant for a certificate of the first grade, shall be examined in all the branches in which applicants for certificates of the second and third grades are examined, and in addition thereto, in higher algebra, natural philosophy and geometry; andif found qualified, shall receive a certificate which shall entitle the holder to teach in any town in the county for which he is examined, for two years from the date thereof.

Standard of attainments.

SECTION 6. The county superintendent of each county shall, under the advice and direction of the state superintendent, establish for his county the standard of attainments in each branch of study, which must be reached by each applicant, before receiving a certificate of either grade, and the standard so established shall be uniform for the county.

Teachers must have certificates.

SECTION 7. No school district clerk shall have power to contract with a teacher, unless such teacher shall have a certificate of qualifications in force at the time of making such contract; and when a district is com-

posed of parts of two or more counties, the clerk of said district shall not have power to contract with a teacher, unless such teacher shall have a certificate of qualifications signed by the superintendent of the county in which the school house is situated, and in force at the time of making such contract.

Examinations in additional branches.

SECTION 8. Each county superintendent of schools may demand an examination in such additional branches as the applicant may be required to teach, and whenever he shall deem it necessary, may require a re-examination of any teacher in his county, for the purpose of ascertaining his or her qualifications to continue as such teacher.

Certificates may be annulled.

SECTION 9. The county superintendent may annul any certificate given by him or his predecessor in office, when he shall think proper, giving at least ten days previous notice, in writing, to the teacher holding it, and to the district board of the district in which he may be employed, of his intention to annul the same.

When such annulment to disqualify teachers.

SECTION 10. The annulling of a certificate shall not disqualify the teacher to whom it was given, until a notice thereof, containing the name of the teacher, the time when the certificate was annulled, and the reason for such annullment, shall be filed by the county superintendent in the office of the town clerk of the town in which the person whose certificate is annulled is engaged in teaching.

When certificates of town superintendents to be void.

SECTION 11. All certificates of qualifications heretofore granted to teachers by any town superintendent, shall be null and void from and after the 15th day of April next; and no person shall, from and after that date, be held to be a qualified teacher, unless he shall have a certificate from the county superintendent of the county in which he resides, issued in conformity with the provisions of this chapter.

Examination of teachers unable to attend regular examinations.

SECTION 12. Section 8 of chapter 179 of the general laws of 1861, is hereby amended by adding thereto the following provision: "Whenever, on account of sickness, absence from the county, or other cause, any person desiring a certificate of qualifications as a teacher, shall be unable to attend the examination as aforesaid, such person may be examined at any time by the superintendent, without giving the notice required in this section; and upon such examination, if found qualified, shall receive a certificate, which shall remain in

force until the next regular meeting for examination of teachers in the inspection district in which such teacher is engaged in teaching: *provided*, that the county superintendent, before examining and licensing such applicant, may require of him or her satisfactory proof that the absence of such applicant from the last regular meeting for examination of teachers, in the inspection district in which he or she resided, was necessary and unavoidable upon the part of said applicant."

Proviso.

SECTION 13. All acts and parts of acts conflicting with the provisions of this act, are hereby repealed.

SECTION 14. This act shall take effect and be in force from and after its passage and publication.

Approved April 1, 1862.

New Section · See 1862 p 133.

CHAPTER 177.

[*Published April* 3, 1862.]

AN ACT to amend chapter 302 of the private and local laws of 1861, entitled "an act to create the municipal court of the city and town of Ripon."

(*See supplement to local laws.*)

CHAPTER 178.

[*Published April* 3, 1862.]

AN ACT to repeal chapter 137 of the private and local laws of 1859, entitled "an act to incorporate the village of Winnecone, [Winneconne.]"

(*See supplement to local laws.*)

CHAPTER 179.

[*Published April* 3, 1862.]

AN ACT for the relief of the La Crosse co. [county] agricultural society.

(*See supplement to local laws.*)

CHAPTER 180.

[*Published April* 3, 1862.]

AN ACT to amend article 28 of section 8, in chapter 5 of chapt. [chapter] 133 of the private and local laws of 1857, entitled "an act to consolidate and amend the act to incorporate the city of Kenosha, and the several acts amendatory thereto."

(*See supplement to local laws.*)

CHAPTER 181.

[*Published April* 3, 1862.]

AN ACT to amend chapter 161 of the revised statutes, entitled "of the relief of insolvent debtors."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section eight of chapter one hundred and sixty-one of the revised statutes, entitled "of the relief of insolvent debtors," is hereby amended so as to read as follows: "Every creditor opposing the discharge of an insolvent, under this chapter, may, at the time appointed for the first hearing, demand of the officer or court befors [before] whom such hearing shall be had, that the cause of such insolvent be heard and tried by a jury, and shall be entitled to an order to that effect, upon filing with such officer or court a specification, in writing, of the grounds of his objection to such discharge: *provided*, that in all cases ordered to be tried by a jury, Creditor may demand that cause be tried by jury. Proviso.

under the provisions of this section, such trial shall be had in the county where such insolvent shall reside, subject to a change of venue, for like causes, and according to the provisions which govern in actions pending in the circuit court."

Approved April 2, 1862.

CHAPTER 182.

[*Published April* 3, 1862.]

AN ACT to secure to married women and others the benefit of insurance on lives.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Married woman may insure for her own use the life of her husband, son, &c.

SECTION 1. It shall be lawful for any married woman to cause to be insured for her sole use, the life of her husband, her son, or any other person, for any definite period, or for the time of the natural life of such husband, son or other persons [person;] and in case of her insuring such husband, son or other person, the sum or net amount of the insurance becoming due and payable by the terms of the insurance, shall be payable to, and for the sole use of such married woman, free and exempt from the claims of the representatives of such husband, son or other person, or of their or any of their creditors, respectively: *provided*, that such exemption shall not apply where the amount of the premium annually paid shall exceed three hundred dollars, unless it shall appear that such premium shall have been paid out of the moneys or funds belonging to such married woman; *and provided, further*, that such exemption shall apply to the insurance money covered by the premium annually paid up to and including the sum of three hundred dollars.

Provisos.

In case of her death, &c.

SECTION 2. In case of the death of such married woman, before the decease of such husband, son or other person, the amount of such insurance may be made payable after such death, to her children, for their use, or to their guardian, if minors under the age of twenty-one years.

SECTION 3. This act shall apply to all insurances on lives, effected before the passage of this act. Application.

SECTION 4. On the death of any minor, who shall have insured his or her life for the benefit of his or her legal heirs, and such legal heirs shall be a father or mother, the sum so insured and become payable, except so much of the same as shall be necessary to pay the debts of such deceased minor, shall vest in and become the property of such legal heirs, and shall be exempt from seizure or sale on any process of attachment, execution or garnishee, issued out of any court in this state, at the suit of the creditors of such legal heirs. In case of death of a minor whose life has been insured.

Approved April 2, 1862.

CHAPTER 183.

[*Published April* 8, 1862.]

AN ACT to amend chapter 30 of the private and local laws of 1859, entitled "an act to amend an act to incorporate the village of Waukesha."

(*See supplement to local laws.*)

CHAPTER 184.

[*Published April* 8, 1862.]

AN ACT to quiet the title to real estate in certain cases therein mentioned.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. No action for the recovery of damages for the flowing of lands, shall be maintained in any court in this state, when it shall appear that said lands have been flowed by reason of the construction or erection of any mill dam for the ten years next preceding the commencement of such action: *provided*, any party shall have one year from and after the passage of this act, in Time to commence action limited. Proviso.

which to commence an action for the recovery of any lands, tenements or hereditaments heretofore flowed, or for the recovery of the possession thereof, or for damages to the same.

Approved April 2, 1862.

CHAPTER 185.

[*Published April 4, 1862.*]

AN ACT to legalize the official acts of Robert E. Scott, as justice of the peace in and for the county of Eau Claire.

(*See supplement to local laws.*)

CHAPTER 186.

[*Published April 4, 1862.*]

AN ACT concerning the amendment of process and proceedings, and to repeal chapter 181 of the general laws of 1859, entitled "an act concerning the amendment of pleadings."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amended summons, &c.

SECTION 1. In all actions in courts of record, the summons or the summons and complaint may be amended, of course, without costs and without prejudice to the proceedings already had, by making other persons parties defendant; and when the summons or the summons and complaint are so amended, it shall only be necessary to serve such amended summons or such amended summons and complaint, upon each of the new parties and such of the defendants as were not served with the original summons.

How served.

SECTION 2. Such amended summons or amended summons and complaint shall be served in the manner prescribed for the service of summons, in sections nine and ten of chapter one hundred and twenty-four of the revised statutes; and the defendants so served with the

amended summons, shall answer within the time prescribed in such summons, and no default in such action shall be entered until the time for all of said defendants to answer, has expired.

SECTION 3. Chapter 181 of the general laws of 1859, entitled "an act concerning the amendment of pleadings," and all other acts and parts of acts contrary to the provisions of this act, are hereby repealed. Repeal.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1862.

CHAPTER 187.

[*Published April* 4, 1862.]

AN ACT to authorize the board of supervisors for the county of Door, to make out a list of grand and petit jurors in said county, for the year 1862.

(*See supplement to local laws.*)

CHAPTER 188.

[*Published April* 4, 1862.]

AN ACT to authorize the supervisors of the county of Sheboygan, to issue bonds for the payment of certain indebtedness.

(*See supplement to local laws.*)

CHAPTER 189.

[*Published April* 4, 1862.]

AN ACT to regulate the survey and measurement of logs and lumber in the county of Winnebago.

(*See supplement to local laws.*)

CHAPTER 190.

[*Published April* 4, 1862.]

AN ACT relating to the allotment commissioners, their duties and compensation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Duties of allotment commissioners.

SECTION 1. The allotment commissioners appointed by the president of the United States for the state of Wisconsin, under the provisions of an act of congress, entitled "an act to provide for allotment certificates among the volunteer forces," approved December 24, 1861, in addition to the duties devolved upon them by the said act of congress, shall perform such other duties, not inconsistent therewith, in behalf of the regiments from this state, which they shall visit, as the governor shall direct.

Compensation.

SECTION 2. The compensation of said commissioners shall be fixed by the governor, at an amount not exceeding one thousand dollars each per annum. A sum not exceeding three thousand dollars, is hereby appropriated out of the war fund, and shall be paid from time to time on the certificate of the governor, stating the time such commissioners shall have been employed in their duties under his direction: *provided*, that not more than one quarter's salary shall be drawn in advance.

State treasurer to receive allotments.

SECTION 3. The state treasurer is hereby authorized and directed to receive such sums of money as may be placed in his hands by a volunteer making an allotment, and shall dispose of the same according to the order and direction of such volunteer.

Annual report of commissioners.

SECTION 4. It shall be the duty of said commissioners to make an annual report of the result of their labors to the governor of this state, on or before the 15th day of December in each year, during the time they are employed as such commissioners.

SECTION 5. This act shall be published immediately, and take effect from and after its publication.

Approved April 3, 1862.

CHAPTER 191.

[*Published April* 4, 1862.]

AN ACT authorizing the transfer of vouchers for military expenditures.

CHAPTER 192.

[*Published April* 4, 1862.]

AN ACT to amend section seventy-seven of chapter nineteen of the revised statutes, entitled "of highways and bridges, and of ferries."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section seventy-seven of chapter nineteen of the revised statutes, entitled "of highways and bridges, and of ferries," is hereby amended by striking out the word "town" where it occurs in the sixth line of said section, and inserting the word "county" in the place thereof. Amendment.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1862.

CHAPTER 193.

[*Published April* 4, 1862.]

AN ACT to amend chapter 176 of the private and local laws of 1860, entitled "an act to incorporate the village of Mauston."

(*See supplement to local laws.*)

CHAPTER 194.

[*Published April* 4, 1862.]

AN ACT to appropriate to the governor of the state of Wisconsin, a certain sum of money for contingent expenditures.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

$5,000. SECTION 1. There is hereby appropriated out of any money in the treasury not otherwise appropriated, the sum of five thousand dollars, ($5,000,) to L. P. Harvey, as governor, for contingent expenditures in the office of governor, for the year 1862.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 8, 1862.

CHAPTER 195.

[*Published April* 7, 1862.]

AN ACT to amend section five of chapter 306 of the general laws of 1860, entitled "an act relating to the assessment and collection of taxes on school, university and swamp lands, and of all lands mortgaged to the state."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Returned taxes. SECTION 1. Section five of chapter 306 of the general laws of 1860, is hereby amended by adding thereto the following proviso: "*provided*, that the state treasurer shall not charge any such returned taxes against such lands, unless the return shall be made by the county treasurer on or before the first day of May following the year for which the tax was assessed; and no delinquent tax shall be a lien on the land against which it has been assessed, unless returned to the office of the state treasurer, as provided in this act and the act to which this is amendatory."

SECTION 2. So much of section four of the above entitled act as conflicts with the provisions of this act, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

Approved April 4, 1862.

CHAPTER 196.

[*Published April* 7, 1862.]

AN ACT to authorize the town treasurer of the town of Weston, Marathon county, to divide certain school moneys.

(*See supplement to local laws.*)

CHAPTER 197.

[*Published April* 7, 1862.]

AN ACT to amend subdivision third [three] of section one of chapter 91 of the revised statutes, entitled "of the rights and duties of landlords and tenants."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. That section one of chapter ninety-one of the revised statutes, entitled "of the rights and duties of landlords and tenants," is hereby amended so as to read as follows, viz.:

When attornment to stranger to be void.

"Section 1. The attornment of a tenant to a stranger shall be absolutely void, and shall not in any wise affect the possession of his landlord, unless it be made:

"1st. With the consent of the landlord; or,

"2d. Pursuant to or in consequence of a judgment or order of a court of competent jurisdiction; or,

"3d. To a mortgagee after the mortgage has been forfeited."

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 4, 1862.

CHAPTER 198.

[*Published April* 7, 1862.]

AN ACT to amend chapter 216 of the general laws of (*A. D.*) 1861, entitled "an act to apportion the state into senate and assembly districts."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Assembly districts in Green county.

SECTION 1. Section two of chapter 216 of the general laws of 1861, entitled "an act to apportion the state into senate and assembly districts," is hereby amended by striking out the word "Decatur" in assembly district number one of the county of Green, and by adding the word "Decatur" after the word "Cadiz," in assembly district number two of said county of Green, so that hereafter in the county of Green the assembly districts shall be described and constituted as follows: Number one shall consist of the towns of Mount Pleasant, Washington, Adams, York, New Glarus, Exeter, Brooklyn and Albany; number two shall consist of the towns of Spring Grove, Jefferson, Sylvester, Monroe, Clarno, Cadiz, Decatur and Jordan.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 4, 1862.

CHAPTER 199.

[*Published April* 7, 1862.]

AN ACT to authorize the fifth ward of the city of Milwaukee to purchase grounds for a market square.

(*See supplement to local laws.*)

CHAPTER 200.

[*Published April* 9, 1862.]

AN ACT to authorize the city council of the city of Green Bay, to subscribe, in behalf of said city, fifteen thousand dollars to the capital stock of the Chicago and Northwestern railway company, and to provide for levying and collecting a tax to pay for the same.

(*See supplement to local laws.*)

CHAPTER 201.

[*Published April* 7, 1862.]

AN ACT to authorize the assessment of the real property of the town of Sun Prairie, in the county of Dane, for the year 1862.

(*See supplement to local laws.*)

CHAPTER 202.

[*Published April* 7, 1862.]

AN ACT providing for a vote of the people on an amendment to the constitution.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Proposed amendment to constitution—governor's salary.

SECTION 1. At the general election to be held on the Tuesday next succeeding the first Monday of November, in the year 1862, the qualified electors of this state may vote for or against the amendment of the constitution, agreed to by the last and present legislatures, and published before the last general election, as provided by the constitution, which amendment is as follows: That section five of article five of the constitution, be amended so as to read as follows: "Sec. [Section] 5. The governor shall receive during his continuance in office, an annual compensation of two thousand five hundred dollars."

Form of votes—how canvassed, &c.

SECTION 2. The votes cast on such amendment, shall be by a seperate [separate] ballot, and shall have written or printed, or partly printed or written, on each of them, the words "for the amendment to the constitution," or "against the amendment to the constitution," which words shall indicate the vote for or against the ratification and adoption of said amendment. The ballots so cast shall be canvassed and returned in the same manner as the votes for state officers are required by law to be canvassed and returned; also, the secretary of state shall, immediately on the completion of said canvass, publish a statement of the result thereof in the state paper; and if a majority of all the electors voting thereon, shall vote "for the amendment to the constitution," such amendment shall be deemed ratified and adopted, and shall go into effect immediately; otherwise, it shall be of no force or effect.

Secretary of state to publish statement.

Approved April 4, 1862.

CHAPTER 203.

[*Published April* 7, 1862.]

AN ACT to amend chapter 71 of the revised statutes, entitled "of the incorporation of banking associations."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

What interest may be received on loans.

SECTION 1. No bank or banking association shall demand or receive a greater or higher rate of interest upon any note discounted by such bank or banking association, or for the loan or forbearance of any money, goods or things in action, than seven dollars upon one hundred dollars for one year, and after that rate for a greater or less sum, or for a longer or shorter time.

Amended 1862 p. 219 post

Question to be submitted to a vote.

SEC. 2. At the general election to be held on the Tuesday next succeeding the first Monday in November, A. D. 1862, at all the places of holding elections in this state for the election of officers required by law then to be elected, the question whether this act shall become a law and go into effect, or in any manner be in force, shall be submitted to the people; and if the

same shall be approved by a majority of all the votes cast on the subject, it shall go into effect; otherwise, it shall not go into effect nor be in force.

Form of votes—how canvassed, &c.

SEC. 3. The votes cast on the subject specified in the last preceding section, shall be by separate ballot; and shall have written or printed, or partly written and partly printed, on each of them, the words "for amendment to the banking law," or "against amendment to banking law;" which words shall indicate the vote for or against the approval of this act; and the ballots so cast shall be canvassed and returned in the same manner as the votes cast for state officers are required by law to be returned and canvassed; and the secretary of state shall, immediately on the completion of said canvass, publish a statement of the result thereof in the official state paper, and shall communicate the same to the next legislature, at the commencement of the session; and he shall also deliver to the state treasurer a certified copy thereof, with a statement of the result of the canvass upon the subject, immediately after the completion of the canvass.

Secretary of state to publish statement.

Take effect.

SEC. 4. This act shall take effect and be in force from and after the twentieth day of January, A. D. 1863.

Repeal.

SEC. 5. All acts or parts of acts conflicting with or in any way contravening the provisions of this act, are hereby repealed.

Approved April 4, 1862.

CHAPTER 204.

[*Published April* 8, 1862.]

AN ACT to amend chapter 134 of the private & local laws of 1856, entitled "an act to incorporate the city of La Crosse," approved March 14th, 1856.

(*See supplement to local laws.*)

CHAPTER 205.

[*Published April* 7, 1862.]

AN ACT to amend chapter 252 [of the] private and local laws of 1858, entitled "an act to amend an act to incorporate the city of La Crosse, approved March 14th, 1856," approved May 15th, 1858.

(*See supplement to local laws.*)

CHAPTER 206.

[*Published April* 8, 1862.]

AN ACT to amend section eight of chapter 123 of the revised statutes, entitled "of the place of trial of civil actions."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Change of place of trial.

SECTION 1. Section eight of chapter one hundred and twenty-three of the revised statutes, is hereby amended so as to read as follows: "Whenever any party in any civil action pending in any court of record, shall apply to the court or the judge thereof, for a change of the place of trial of such action, on account of the prejudice of the judge of such court, and shall verify such application by his oath or affidavit, the court or the judge thereof shall change the place of trial of such action; but no court commissioner or county judge acting as a court commissioner, shall be authorized to change the place of trial of any action. When such application is made to the judge, it shall be on notice, of not less than ten days, to the adverse party.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 207.

[*Published April* 8, 1862.]

AN ACT to authorize the collection of agricultural, mineral and manufacturing statistics, and to repeal chapter fifty-two of the general laws of 1857, chapter fifty-one of the general laws of 1858, chapter sixteen of the revised statutes, and chapter one hundred and sixty-six of the general laws of 1861.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Collection of statistics once in every ten years.

SECTION 1. It shall be the duty of the assessors of the several towns and cities in this state, at the time of making the annual assessment of real and personal property in the year 1865, and once in every ten years thereafter, to collect the statistics in their several towns and cities, of all agricultural, mineral and manufacturing interests, carried on in their respective towns and cities, and make return of the same to the clerk [clerks] of the county board [boards] of supervisors, on or before the first Monday in August, in the year in which such statistics are required by this section to be taken; for which service the several assessors shall be allowed, for the extra time so employed, the same rate per diem as is allowed for making the assessment, to be audited by the proper authorities of the town, city or village in which the duty may have been performed.

Secretary of state to furnish blank forms to clerks of boards.

SECTION 2. It shall be the duty of the secretary of state, on or before the fifteenth day of April, in the year 1865, and every ten years thereafter, to furnish the clerks of the county boards of supervisors of the several counties of this state, a sufficient number of blank forms for taking said statistics, said form to be as follows:

Apples; bushels, valuation.
Agricultural implements and machinery; valuation.
Barley; acres, bushels, valuation.
Beans and peas; acres, bushels, valuation.
Boots and shoes; pairs, valuation.
Buckwheat; acres, bushels, valuation.
Butter; pounds, valuation.
Cabinet ware; valuation.
Capital invested in manufactures.
Cattle and calves on hand; number and valuation.
Cattle and calves slaughtered; number and valuation.

Cheese; pounds, valuation.
Clover seed; pounds, valuation.
Copper ore; tons, valuation.
Copper manufactures; valuation.
Corn; acres, bushels, valuation.
Cotton goods; yards, valuation.
Drain tiles; number, valuation.
Earthern ware; valuation.
Flax; pounds, valuation.
Flax seed; bushels, valuation.
Grapes; pounds, valuation.
Honey; pounds, valuation.
Hay; acres, tons, valuation.
Hemp; pounds, valuation.
Hogs on hand; number, valuation.
Hogs slaughtered; number, valuation.
Horses and mules; number, valuation.
Iron castings; valuation.
Iron; pig, pounds, valuation.
Linseed oil; gallons, valuation.
Leather; valuation.
Lumber sawed; feet, valuation.
Lead smelted; valuation.
Lead raised; valuation.
Leaden manufactures, shot, &c.; valuation.
Maple sugar; pounds, valuation.
Maple sugar molasses; gallons, valuation.
Oats; acres, bushels, valuation.
Paper; reams or pounds, valuation.
Potatoes; acres, bushels, valuation.
Rye; acres, bushels, valuation.
Sorghum; acres.
Sorghum molasses; gallons, valuation.
Sorghum sugar; pounds, valuation.
Shingles; number of thousand, valuation.
Sheep and lambs on hand; number, valuation.
Sheep and lambs slaughtered; number, valuation.
Timothy and other grass seed; bushels, valuation.
Wood and willow ware; valuation.
Wagons and carriages; number, valuation.
Woolen fabrics; yards, valuation.
Wheat; acres, bushels, valuation.
Whiskey [whisky;] gallons, valuation.
Wine; gallons, valuation.
Wool; pounds, valuation.

Clerks to furnish forms to assessors.

SECTION 3. It shall be the duty of the clerks of the county boards of supervisors, to furnish each town or city assessor with a blank form, on or before the fifteenth day of May, in the year 1865, and every ten years thereafter.

Transmission of returns.

SECTION 4. It shall be the duty of the clerks of the boards of supervisors, in the several counties of this state, on or before the first Monday of September, in the year 1865, and every ten years thereafter, to transmit to the secretary of state a copy of the foregoing returns.

Secretary of state to report returns to legislature.

SECTION 5. It shall be the duty of the secretary of state to prepare and report to the legislature, at its annual session in January, A. D. 1866, and every ten years thereafter, a tabular statement of all the agricultural, mineral and manufacturing products of each county, as shown by the reports required by the first section of this chapter, and he shall also transmit a copy of the same to the commissioner of patents.

Statistics of deaf, dumb, blind, insane and idiotic persons.

SECTION 6. The assessors of the several towns, wards or precincts, as the case may be, in the several counties in this state, while performing their duties as assessors, shall ascertain and enter upon a schedule prepared for that purpose, the names, in full, of such [each] deaf and dumb, blind, insane and idiotic person in each town, ward or precinct, together with the age, color, sex, occupation and place of birth of said persons; also, whether said persons are educated or not; also, the number of children of said parents; also, what affinity of blood, if any, exists between said parents; also, the number of deaf and dumb, blind, insane and idiotic children of said parents; and (*that*) said papers [shall] be returned to the clerk [clerks] of the county board [boards] of supervisors, with the assessment roll, and by him [them] returned to the secretary of state. The secretary of state shall furnish a schedule and all necessary papers for the use of the assessors, accompanied with a printed copy of this chapter: *provided*, that if, in any case, such [any] assessor shall neglect or refuse to make full returns, according to the provisions of this chapter, he shall be subject to a penalty of not less than twenty-five dollars, nor more than forty dollars, to be collected in the same manner as other fines are collected for neglect of official duty.

Secretary of state to furnish blanks &c.

Penalty.

SECTION 7. The accounts of the clerk [clerks] of the

Auditing clerks' accounts.

board [boards] of supervisors of the several counties of this state, for the services required of him [them] by the provisions of this act, shall be audited by the board [boards] of supervisors of the several counties of this state.

Repeal.

SECTION 8. Chapter fifty-two of the general laws of 1857, chapter fifty-one of the general laws of 1858, chapter sixteen of the revised statutes, and chapter one hundred and sixty-six of the general laws of 1861, are hereby repealed.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved April 5, 1862.

CHAPTER 208.

[*Published April* 8, 1862.]

AN ACT to require the trustees [superintendent] of the state hospital for the insane to purchase such articles of furniture as are necessary for the west wing of that institution, of the state prison commissioner, at Waupun.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Furniture for west wing of insane asylum to be purchased of state prison commissioner.

SECTION 1. It is hereby made the duty of the superintendent of the state hospital for the insane, to make out a list of all such articles of cabinet furniture and upholstery as are necessary for furnishing the west wing of the state hospital for the insane, and transmit the same, with all convenient dispatch, to the state prison commissioner at Waupun; and upon the receipt of such list by the commissioner, it is hereby made his duty, without unnecessary delay, to cause to be manufactured, of good materials and in a good workmanlike manner, such articles of cabinent furniture and upholstery as are embraced in the list aforesaid, and to sell them to the superintendent aforesaid at a just and reasonable compensation: *provided*, that such articles as are required, which cannot be manufactured at the prison at reasonable prices, may be purchased by the su-

Proviso

perintendent of said hospital at such other place as he may think best for the interest of the state.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 209.

[*Published April* 8, 1862.]

AN ACT to amend chapter 280 of the private and local laws of 1854, entitled "an act to incorporate the village of Sheboygan Falls," and to amend chapter 212 of the private and local laws of 1858, entitled "an act to amend an act entitled 'an to act incorporate the village of Sheboygan Falls, approved April 1st, 1854.'"

(*See supplement to local laws.*)

CHAPTER 210.

[*Published April* 8, 1862.]

AN ACT for the relief of the Rock county agricultural society and mechanics' institute.

(*See supplement to local laws.*)

CHAPTER 211.

[*Published April* 8, 1862.]

AN ACT to amend section 44 of chapter 165 of the revised statutes, entitled "of offences against property."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section forty-four of chapter one hundred and sixty-five of the revised statutes, is hereby Malicious injury to cattle and other property.

amended so as to read as follows, viz.: "Every person who shall willfully and maliciously kill, maim or disfigure any horses, cattle or other beasts of another person, or shall willfully and maliciouly administer poison to any such beasts, or expose any poisonous substances with the intent that the same may be taken or swallowed by them, or shall willfully and maliciously destroy or injure the personal property of another, in any manner, or by any means not particularly mentioned or described in this chapter, shall be punished by imprisonment in the county jail, not more than two years nor less than three months, or by fine, not exceeding five hundred dollars nor less than fifty dollars: *provided*, that in case such personal property shall not exceed the value of three dollars, such person or persons shall be punished by fine, not less than five nor more than fifteen dollars; and in such case every justice of the peace shall have concurrent jurisdiction in his own county, with the circuit court."

Proviso.

Jurisdiction of justices.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 5, 1862.

CHAPTER 212.

[*Published April* 8, 1862.]

AN ACT to provide for the apportionment of certain school moneys to the city of Racine.

(*See supplement to local laws.*)

CHAPTER 213.

[*Published April* 8, 1862.]

AN ACT to prohibit certain kinds of fishing in the county of Door, in this state.

(*See supplement to local laws.*)

CHAPTER 214.

[*Published April* 8, 1862.]

AN ACT to appropriate to jt. [joint] select committee to visit St. Mary's hospital, a sum of money therein named.

(*See supplement to local laws.*)

CHAPTER 215.

[*Published April* 8, 1862.]

AN ACT to appropriate to the St. Mary's hospital, in the city of Milwaukee, the sum of three thousand dollars.

(*See supplement to local laws.*)

CHAPTER 216.

[*Published April* 8, 1862.]

AN ACT to provide for the payment of the joint select committee on taxation.

(*See supplement to local laws.*)

CHAPTER 217.

[*Published April* 8, 1862.]

AN ACT to appropriate to the committee on benevolent institutions the sum of fifteen dollars each.

(*See supplement to local laws.*

CHAPTER 218.

[*Published April* 8, 1862.]

AN ACT to appropriate to the institute for the education of the blind, the sum of eight thousand eight hundred dollars, for the purpose of defraying the current expenses of the year.

(*See supplement to local laws.*)

CHAPTER 219.

[*Published April* 8, 1862.]

AN ACT to appropriate to the state reform school, the sum of six thousand dollars, for the purpose of defraying the expenses of the ensuing year.

(*See supplement to local laws.*)

CHAPTER 220.

[*Published April* 8, 1862.]

AN ACT to provide for indexing and transcribing the journals of the senate and assembly.

(*See supplement to local laws.*)

CHAPTER 221.

[*Published April* 8, 1862.]

AN ACT to amend section 4 of chapter 178 of the revised statutes, entitled "of the change of venue in criminal cases."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section four of chapter one hundred and

seventy-eight of the revised statutes, entitled "of the change of venue in criminal cases," is hereby amended by adding thereto the following: "But the judge of the court, in case no final trial is had during the term next after such change of venue, may order the prisoner to be kept in the common jail of any county where it may be most safe and convenient, and may make all necessary orders for the prisoner's safe custody, bail and appearance for trial." Defendant may be kept in county jail.

SECTION 2. This act shall take effect from and after its passage.

Approved April 5, 1862.

CHAPTER 222.

[*Published April* 8, 1862.]

AN ACT in relation to change of venue in criminal cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Whenever the change of the place of trial shall be awarded on application of one or more, but not all, of several defendants in an indictment upon which a separate trial may properly be had, it shall not be necessary to transmit the original indictment on [or] other papers in the case to the court to which the venue shall be so changed; but the clerk shall transmit a certified transcript of the docket entries in the case, and certified copies of the indictment, and such other papers as the court shall direct in lieu of the originals; and the court to which the venue shall be changed, shall proceed to hear, try and determine the case, in the same manner and with the same effect as if the original indictment and papers had been transmitted. Transcript of indictment, &c.

SECTION 2. Such change of venue shall not effect the proceedings as to the defendants not joining in the application therefor, but the court shall proceed to the trial of such defendants upon the indictment, in like manner as if no change of venue had been awarded to their codefendants. Change not to effect codefendants

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 7, 1862.

CHAPTER 223.

[*Published April* 9, 1862.]

AN ACT to provide for the payment of court expenses, where a change of venue is had.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Expenses to be paid by county in which the action was brought.

SECTION 1. In all cases where a change of venue, in any civil or criminal action, shall be allowed by any circuit court or judge, pursuant to law, and the place of trial of such action shall be changed, (except in cases where such change is made, because the action was not brought in the proper county,) the county in which such action was commenced, shall pay to the county in which the same shall be tried, the following expenses, arising out of said change of venue, to wit: 1st. The per diem fees allowed by law to the clerk in term; 2d. The per diem fees allowed by law to the sheriff, under sheriff and deputies actually in attendance upon said court; 3d. The per diem fees allowed by law to the petit jurors actually in attendance upon said court; 4th. The legal fees of all witnesses actually subpenaed or in attendance upon said court or sworn upon the trial of any criminal action; the fees of such officers and jurors to be estimated for each day and part of a day, not less than half of a day, occupied in trying or disposing of any action.

Clerk to make out and forward bill of expenses.

SECTION 2. It shall be the duty of the clerk, at or before the close of any term at which any such trial shall be had, to make out a correct statement or bill of all the expenses which shall have accrued during any such trial, in the manner stated in the last preceding section, and procure the same to be taxed and allowed by the circuit judge; and such clerk shall, without delay, send such taxed bill to the clerk of the board of supervisors of the county in which such action was

commenced; and the clerk of said board of supervisors, at the first meeting of the board after he shall receive such bill, shall lay the same before said board; and said board of supervisors shall audit and allow the same, as a claim in favor of the county in which said action was tried, and shall pay the same as other county liabilities are paid. Board of proper county to audit bill.

SECTION 3. This act shall take effect and be in force from and after its passage.

Approved April 7, 1862.

CHAPTER 224.

[*Published April* 8, 1862.]

AN ACT to provide for the adjustment of the government tax for 1862.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The governor of this state is hereby authorized and empowered to settle and adjust the tax levied upon and apportioned to this state, by an act of congress passed at the extra session in August, 1861; and for the purpose of liquidating and paying to the government of the United States said tax, the said governor is authorized and empowered to set off and transfer to the said United States government, any and all sum or sums which may be due and owing to this state from the United States government, for the purpose of "providing a military force to aid in protecting and defending the constitution and the union," or which may in any manner be due to this state for expenses incurred for assistance rendered the general government during the war, so far as may be required to liquidate and pay such tax. Settlement by transfer to U. S. of indebtedness to this state.

SECTION 2. In case the tax levied upon and apportioned to this state, by the provisions of the act of congress mentioned in section one of this act, shall not be settled and adjusted prior to the second Monday in October next, then, and in that case, there shall be levied and collected, for the year 1862, a state tax sufficient If not settled by Oct. 13, tax to be levied and collected.

to pay the said tax required by the general government, together with the interest accruing thereon; and the secretary of state shall apportion said tax among the several counties of this state, on or before the said second Monday in October next, which tax shall be certified to, collected and returned in the same manner as other state taxes; and the amount collected by the provisions of this act, is hereby appropriated for the payment of the government tax indicated by section one of this act.

Duty of secretary of state.

SECTION 3. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 225.

[*Published April* 8, 1862.]

AN ACT to amend section one of chapter 89 of the general laws of 1862, entitled "an act to authorize the investment of the school fund in the bonds of the state."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Bonds to be deposited with state treasurer, and to be included in quarterly reports of secretary of state.

SECTION 1. Section one of chapter eighty-nine of the general laws of eighteen hundred and sixty-two, is hereby amended by adding thereto the following proviso, viz.: "*provided*, the said state bonds so purchased by said commissioners, shall be deposited by them with the state treasurer for safe keeping; and the secretary of state is hereby authorized to include in the quarterly examination and report of the moneys on hand in the treasury, an examination and report of the amount of state bonds on hand in the treasury, belonging to the school fund."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 7, 1862.

CHAPTER 226.

[*Published April* 9, 1862.]

AN ACT authorizing the borrowing of money on the faith and credit of the state, to defray extraordinary expenditures.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Loan of $50,000 authorized.

SECTION 1. For the purpose of defraying extraordinary expenditures on the enlargement of the capitol and erecting a hospital for the insane, a loan of fifty thousand dollars is hereby authorized and required to be made on the faith and credit of the state, in the form hereinafter prescribed.

Preparation of bonds.

SEC. 2. The governor, state treasurer and secretary of state, or a majority of them, shall cause to be prepared state bonds of the state of Wisconsin, with coupons for interest attached, to the number of fifty, each for the sum of one thousand dollars; which bonds shall be payable to the bearer, signed by the governor, and countersigned by the secretary of state and state treasurer, and the seal of the state shall be affixed thereto. Such bonds shall be made payable at such bank in the city of New York as the state treasurer shall select, with interest at the rate of six per centum per annum, payable semi-annually, on the first days of April and October in each year, from the first day of April, 1862, and the principal to fall due on the first day of April, 1867.

Where payable, interest, &c.

Proposals for purchase to be advertised and bonds sold to highest bidders.

SEC. 3. The bonds and coupons, when so executed, shall be placed in the hands of the state treasurer, who shall immediately advertise in the state paper, for ten days, for sealed proposals for the purchase of the same. On the day mentioned in the advertisement, all proposals shall be opened by the governor, secretary of state and state treasurer, and said bonds shall be sold to the person or persons offering the highest price therefor; and in case no proposals shall be received within the time limited, said officers may sell said bonds to any person or persons: *provided*, that in no case shall any of said bonds be sold at less than par, or until an equal amount of the bonds falling due on the first day of April, 1862, have been paid and canceled.

Not to be sold at less than par.

SEC. 4. An annual tax of such per centum of the

Tax for payment of annual interest.

taxable property of the state, as may be sufficient to pay the coupons attached to the bonds so sold, as they may become due, is hereby levied upon such taxable property for the years 1862, 1863, 1864, 1865 and 1866, to be collected with and in addition to the state tax levied in each of said years, and the proceeds of such tax is [are] hereby appropriated to pay such coupons; and in addition thereto, there is hereby levied upon such taxable property, in the year 1866, the sum of fifty thousand dollars, to be added to and collected with the state tax of that year, which sum of fifty thousand dollars is hereby appropriated to the payment of the principal of said bonds.

Tax for payment of principal.

Appropriation.

Validity of tax.

SEC. 5. The tax levied by this act, in any year, is to have the same force and effect as if the legislature in such year had passed an act levying such tax; and when the proceeds of any tax herein levied, shall be insufficient to pay the interest and principal of said loan, as the same respectively falls [fall] due, the state treasurer shall pay the deficit out of any money in the state treasury not otherwise appropriated.

SEC. 6. This act shall be published immediately, and take effect from its publication.

Approved April 7, 1862.

CHAPTER 227.

[*Published April* 9, 1862.]

AN ACT to dispose of the discredited currency in the state treasury.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When to be returned to bank comptroller.

SECTION 1. The state treasurer is hereby authorized and directed to return to the bank comptroller the notes of discredited Wisconsin banks, now in the state treasury, whenever the banks issuing the same are legally closed and their securities sold, and to receive from the bank comptroller the dividend payable thereon; and the secretary of state is hereby directed to credit the state treasurer with the amount of difference

Secretary of state to credit state treasurer.

between the par value of such notes and the amount of dividend received from the bank comptroller.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 228.

[*Published April* 9, 1862.]

AN ACT to authorize the issuing of state bonds for war purposes, and for other purposes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Loans to amount of $200,000 may be negotiated.

SECTION 1. The governor, state treasurer and secretary of state, or a majority of them, are hereby authorized and directed, in the name and behalf of the people of this state, for the purpose of organizing and bringing into active service the volunteer militia to repel invasion, suppress insurrection, or defend the state in time of war, to negotiate and contract for a loan or loans, for such sum or sums of money as they may deem necessary for the purposes indicated by this act, not exceeding in the aggregate the sum of two hundred thousand dollars, on the most favorable terms which, in their judgment, can be obtained, at a rate of interest not exceeding six per centum per annum, payable semi-annually, on the first day [days] of January and July, in each year, as follows, to wit: The interest on all bonds amounting each to five hundred dollars or upwards, shall be payable at such bank in the city of New York as may from time to time be designated by the state treasurer, and the interest on all bonds of a less amount each than five hundred dollars, shall be payable at the state treasury; and the proceeds of said loan shall be paid into and constitute a part of the war fund.

Rate of interest —where interest payable.

To constitute part of war fund.

Redemption of bonds.

SECTION 2. The bonds issued under the authority of this act, shall be redeemable as follows, to wit: The first one hundred thousand dollars shall be redeemable

on the first day of July, one thousand eight hundred and eighty-seven; and the balance of the bonds issued under the provisions of this act, on the first day of July, in the next succeeding year.

Application of laws.

SECTION 3. The provisions of chapter thirteen of the general laws passed at the extra session, commencing May 15th, 1861, are hereby made applicable to and constitute a part of this act, except sections five, six and eight of said chapter thirteen.

Condition.

SECTION 4. The foregoing provisions of this act shall only take effect and be in force upon the condition that the governor, secretary of state and state treasurer shall negotiate and contract for the loan or loans designated in section one of this act, or any part thereof; and in case said loan or loans, or any part thereof, shall be so negotiated and contracted for, this act shall have full force and effect, for the full amount of the loan or loans negotiated under the provisions of this act.

No loan to be made after Oct. 13—deficit if any to be assessed.

SECTION 5. If the officers mentioned in section one of this act, shall not be able to effect such loan or loans, to the amount of two hundred thousand dollars, as therein specified, before the second Monday in October next, any portion of such loan or loans which shall not then have been negotiated, shall not be made thereafter; but then, and in that case, there shall be levied a state tax upon the taxable property of this state, sufficient to meet any deficit in said loan or loans, or the whole of said loan or loans, as the case may be, which shall be apportioned among and assessed upon the several counties of the state, as state taxes are required to be apportioned and assessed; which tax shall be apportioned by the secretary of state, on or before the second Monday in October next, and shall be collected and returned as other state taxes are required to be collected and returned; and such sum required to be raised under the provisions of this act, is hereby appropriated to and made a part of the "war fund."

Interest to be paid annually, and principal in 1887 and 1888.

SECTION 6. It shall be the duty of the secretary of state, annually to levy such per centage of taxation on the taxable property of this state, as will be sufficient to pay the annually accruing interest on all outstanding bonds issued under the provisions of this act; and it shall also be the duty of the secretary of state to levy such an amount of tax on the taxable property of this state, in the year [years] 1887 and 1888, sufficient to

pay the principal of each of said bonds maturing during each of said years, in accordance with the provisions of this act.

SECTION 7. This act shall take effect and be in force from and after its passage.

Approved April 7, 1862.

CHAPTER 229.

[*Published April* 9, 1862.]

AN ACT to make a temporary loan from the general fund to the war fund, and to repay the same.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. That, for the purpose of enabling the state treasurer to pay off the warrants drawn and to be drawn by the secretary of state upon the war fund, for the extra compensation allowed to volunteers having families, by chapter 8 of the general law passed at the extra session of 1861, entitled "an act to provide for the aid of volunteers in the service of the United States or of this state," there is hereby appropriated to the war fund, as a temporary loan, to be used by the state treasurer solely in the payment of warrants drawn upon the war fund, pursuant to the provisions of said chapter 8 of the general laws passed at the extra session of the legislature of 1861, the sum of fifty thousand dollars, payable out of any moneys in the state treasury belonging to the general fund, not otherwise appropriated. Appropriation from gen'ral fund to war fund.

SECTION 2. There is hereby appropriated to the general fund, the sum of fifty thousand dollars, payable out of moneys which may hereafter be paid into the war fund, for the purpose of reimbursing the general fund for the temporary loan made therefrom by this act, to the war fund; and the state treasurer is hereby authorized and directed to transfer the amount hereby appropriated from the war fund to the general fund, whenever there shall be a sufficient amount of money in the treasury, to the credit of the war fund, to enable Reimbursement.

him to do so; and such transfer shall, in any event, be made so soon as the amount hereby loaned from the general fund shall be required to meet charges upon that fund.

SECTION 8. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 230.

[*Published April* 9, 1862.]

AN ACT relating to the joint select committee of investigation into the negotiation of the war bonds, and disbursement of the war fund.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Designation of sub committee to sit during recess.

SECTION 1. The president of the senate shall designate two, and the speaker of the assembly shall designate three, of the members of the joint select committee appointed under assembly joint resolutions two and seven, to investigate into the negotiation of the war bonds, and the disbursement of the war fund, as a sub-committee to sit during the recess, and until the adjourned session of the legislature, for the purpose of receiving testimony and prosecuting their labors to completion; and may sit at the cities of Madison and Milwaukee, and elsewhere, as the convenience of witnesses and saving of expense may render expedient, and may employ one clerk, at a per diem not exceeding two dollars and fifty cents for services actually rendered; and the committee are required to report at said adjourned session.

Where they may sit—may employ clerk, &c.

Per diem of committee, traveling expenses, &c.

SECTION 2. The said sub-committee shall be entitled to two dollars and fifty cents per diem for each day actually employed in performing the duties of said committee, during the said recess of the legislature; and they shall be reimbursed for the moneys actually paid out by them for travel. Witnesses appearing before the committee, shall be entitled to ten cents per mile for [the] distance actually traveled one way, and

Witnesses and their fees.

to one dollar and fifty cents per diem during their attendance: *provided*, that the members of the said sub-committee shall not be entitled to reimbursement for any traveling expenses, unless such expenses are actually and necessarily incurred in connection with the business of the said committee, and are so incurred within this state. Proviso.

SECTION 3. The chairman of said sub-committee is hereby authorized to administer the oath to witnesses, and to do whatever the chairman of the committee is now authorized and required to do, and to issue certificates to witnesses attending upon, and the clerk and the officer acting with the committee, as provided in section 2 of this act, which certificate in each case shall state the number of days' attendance or service, the number of miles traveled, and the amount to which the person receiving the same is entitled; and the secretary of state shall audit the said certificates, and order the same to paid out of the state treasury. As soon as the sub-committee shall have been appointed, as provided in section one of this act, the chairman of the committee shall file a certificate with the secretary of state, stating the names of the persons constituting said sub-committee; and when either of such persons shall present his account to the secretary of state, for the per diem allowance provided in section two of this act to be paid, it shall be his duty to audit such account, and order the same to be paid out of the state treasury. Chairman may administer oaths and issue certificates. Auditing and payment of certificates. Chairman to notify secretary of state, &c.

SECTION 4. There is hereby appropriated to be paid out of the state treasury, a sum of money sufficient to pay the certificates issued and the accounts audited under the provisions of section three of this act. This act shall take effect and be in force from and after its passage. Appropriation.

Approved April 7, 1862.

CHAPTER 231.

[*Published April* 8, 1862.]

AN ACT to amend section four of chapter 198 of the general laws of 1861, entitled "an act to provide for the publication of legal decisions."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Distribution of volumes of legal decisions.

SECTION 1. Section four of chapter 198 of the general laws of 1861, is hereby amended [so as] to read as follows: "The volumes so purchased and delivered to the secretary of state, shall be distributed as follows: One volume to each of the several states of the United States; one volume to each of the judges of this state; one volume to each of the clerks of the circuit courts of this state, to be handed over to their successors in office, and the balance to be deposited in the state library, to be disposed of according to law."

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 7, 1862.

CHAPTER 232. Rep'd 1865 p 68

[*Published April* 8, 1862.]

AN ACT to amend chapter 198 of general laws of 1861, entitled "an act to provide for the publication of legal decisions."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Price per volume of legal decisions.

SECTION 1. That sections three and five of said chapter be amended by inserting after the words "three dollars" when they occur therein, the words "and fifty cents."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 7, 1862.

CHAPTER 233.

[*Published April* 9, 1862.]

AN ACT to authorize the secretary of state to audit certain accounts for rent.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Rent of rooms of attorney general, commissary general, &c.

SECTION 1. The secretary of state is hereby authorized to audit the accounts for rent for the rooms occupied by the adjutant general, commissary general, state armorer and such others as the superintendent of public property has [engaged] or may engage for the use of the state.

Certificate of superintendent public property.

SECTION 2. It shall be the duty of the superintendent of public property to examine all accounts authorized to be audited by this act, and certify to the correctness of the same, and to state that the amount charged is in accordance with the contract.

Warrant.

SECTION 3. After such accounts are audited, the secretary of state shall draw his warrant on the treasury, payable out [of] the appropriate fund; and there is hereby appropriated a sum of money sufficient to pay said warrants.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved April 7, 1862.

CHAPTER 234.

[*Published April* 9, 1862.]

AN ACT to provide for issuing patents on swamp lands.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Application of laws.

SECTION 1. The laws now in force for the issuing of patents or deeds to the purchasers of school and university lands, are hereby declared to extend to the conveyance of swamp and overflowed lands, so far as they are applicable thereto.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 7, 1862.

CHAPTER 235.

[*Published April* 9, 1862.]

AN ACT relating to patents.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Patents to be recorded.

SECTION 1. All patents for lands issued by the commissioners of the school and university lands, upon the sale thereof, shall be recorded in a book to be kept for that purpose in the office of the said commissioners. The record of patents for lands, heretofore issued by said commissioners, kept by them, is hereby declared to be a legal record; and copies from such records, certified by the secretary of state, under the seal of the state, shall be received as evidence in all courts and places, with like effect as the original patent.

Legal record.

Patents issued by governor.

SECTION 2. All patents hereafter issued by the governor, under the provisions of law, shall be recorded in the office of the secretary of state, in a book to be kept for that purpose; and copies of the record thereof, certified as hereinbefore required, shall be received as evidence in like manner and with like effect as the original patent.

If patent be lost a new one may issue.

SECTION 3. Whenever it shall satisfactorily appear that any patent heretofore lawfully issued by any governor of this state, has been lost or destroyed, and has not been recorded according to law, the governor is hereby authorized to issue to the original grantee a new patent for the land described in the original patent, reciting therein the loss of such original patent, and that such new patent is issued in lieu thereof; and such new patent shall convey to such grantee, his heirs and assigns, the same rights, and no greater, that he or they obtained under the original patent.

Errors in description, &c., may be corrected.

SECTION 4. Whenever it shall be made satisfactorily to appear, that there is an error or omission in any cer-

tificate of purchase of lands granted by congress for the improvement of the Fox and Wisconsin rivers, or in aid of the construction of the Milwaukee and Rock river canal, in the description thereof, or name of the purchaser, or other material error or omission, the governor is hereby authorized to correct such error [or] omission, and to issue a patent for the lands, according to the terms of the certificate so corrected.

SECTION 5. This act shall be in force from and after its passage and publication.

Approved April 7, 1862.

CHAPTER 236.

[*Published April* 10, 1862.]

AN ACT to authorize the commissioners of school and university lands, to exchange the securities for loans in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Exchange of securities.

SECTION 1. The commissioners of school and university lands are hereby authorized to exchange the security for any loan made from the school, university or drainage fund, if in their judgment the fund from which the loan was made will not be injured by the exchange: (*and*) *provided*, that in all cases before making such exchange, they shall require that such new security shall be on improved farming lands, the appraised value of which shall be at least three times the amount loaned, and shall in all respect comply with sections 82, 83, 84, 85 and 86 of chapter 28 of the revised statutes, as far as the same is practicable.

Securities to be on improved lands.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 237.

[*Published April* 9, 1862.]

AN ACT in relation to costs in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When costs may be allowed plaintiff on judgment to annul tax deed, &c.

Repealed 1872 p 245

SECTION 1. No costs, disbursements or officer's fees, shall be allowed to or recovered by the plaintiff, upon any judgment which shall hereafter be recovered by him in any action or proceeding now pending, or which may hereafter be commenced, to set aside, vacate or annul any tax list, tax levy, tax sale, tax certificate or tax deed, or any act or proceeding whatever, essential to render any tax valid, and to make the sale and conveyance of land for non-payment of such tax, legal and binding, or to enjoin or restrain the collection of any tax by the sale of the land on which the same is levied, or to enjoin or restrain the execution, issue or delivery of any tax deed, or otherwise to invalidate any tax, tax certificate or tax deed, or to extinguish or remove the apparent lien and incumbrance thereof from real estate, except in cases where such real estate was not by law liable to taxation, or where the acts and proceedings sought to be annulled, vacated, set aside, enjoined or restrained, were had and taken solely to enforce the collection of assessments specially made upon real estate, pursuant to the provisions of the charter of a municipal corporation, for the improvement of a street, or some other object of a like special character.

Repeal.

SECTION 2. All statutory provisions inconsistent with this act, are hereby repealed.

SECTION 3. This act shall be published immediately, and shall take effect from and after its publication.

Approved April 7, 1862.

CHAPTER 238.

[*Published April* 10, 1862.]

AN ACT to amend chapter one hundred and thirty-three of the revised statutes, entitled "of costs and fees."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. That section twenty-one of chapter one hundred and thirty-three of the revised statutes, entitled "of costs and fees," is hereby amended so as to read as follows, viz.: "Section 21. In all civil cases at law, unless otherwise provided, the party in whose favor judgment is given, shall recover costs, and the justice's court may give or refuse costs on all motions, at their discretion, unless otherwise directed: *provided*, that the amount of costs which may be recovered by the party in whose favor judgment is given, shall not, in any case tried in a justice's court, exceed fifteen dollars." When justice may give or refuse costs. Amended 1865 p 169 Limit to costs.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 7, 1862.

CHAPTER 239. Repealed 1865 p 489.

[*Published April* 10, 1862.]

AN ACT to amend chapter 133 of the revised statutes, entitled "of costs and fees."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section nine of chapter one hundred and thirty-three of the revised statutes, entitled "of costs and fees," is hereby repealed. Repeal.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 5, 1862.

CHAPTER 240.

[*Published April* 10, 1862.]

AN ACT to amend chapter 89 of the general laws of 1861, entitled "an act to amend chapter 137 of the revised statutes, entitled 'of evidence.'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Court commissioners may take depositions.

SECTION 1. Depositions of witnesses may be taken by court commissioners, in the manner and according to the regulations prescribed in chapter one hundred and thirty-seven of the revised statautes, entitled "of evidence," for the taking of depositions by justices of the peace.

Approved April 5, 1862.

CHAPTER 241.

[*Published April* 10, 1862.]

AN ACT to amend section 3 [of] chapter 159 of the revised statutes, entitled "of writs of mandamus and prohibition."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Trial of issues of fact.

SECTION 1. Section three of chapter one hundred and fifty-nine of the revised statutes, is hereby amended so as to read as follows: "Issues of fact in any such proceeding, shall be tried at special or general terms of the circuit court in the county within which the material facts contained in the mandamus shall be alleged to have taken place, or in such other county as the court, for cause shown, shall in its discretion order; and the court before which such issue of fact is ordered to be tried, shall have power to summon a jury for the purpose, and prescribe the manner of summoning the same."

Approved April 5, 1862.

CHAPTER 242.

[*Published April* 10, 1862.]

AN ACT to amend section 9 of chapter 93 of the revised statutes, entitled "of the sale of lands of minors, and other persons under guardianship, and securing the proceeds for their use."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section nine of chapter ninety-three of the revised statutes, is hereby amended so as to read as follows: "No such license shall be granted for the sale of any real estate of a ward residing in this state, excepting that of a minor, unless the supervisors of the town in which such ward is an inhabitant, shall certify in writing their approbation of the proposed sale." License for sale of real estate of a ward.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 7, 1862.

CHAPTER 243.

[*Published April* 10, 1862.]

AN ACT relating to the foreclosure of mortgages by action.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. All actions hereafter commenced in any court of this state, for the foreclosure or satisfaction of a mortgage upon real estate, shall be commenced, tried and determined in the county where the mortgaged premises, or some part thereof, are situated: *provided*, that the court in which any such action shall be pending, may award a change of venue therein, upon the application of either or any party thereto, for the same causes and in the same manner as in other civil actions. Action to be tried in county where lands are situated. Change of venue.

§ 2. In all such actions, the plaintiff, in his complaint, may pray for a judgment of foreclosure and sale of the mortgaged premises in his complaint described, and may also, in the same complaint, pray for a judg- Plaintiff's complaint.

ment for any deficiency which may remain due to the said complainant on such judgment of foreclosure and sale, after the sale of such mortgaged premises, in pursuance of such judgment; and such complaint, so containing the several prayers aforesaid, shall not be taken, construed or adjudged to unite improperly several causes of action, or to be in violation of any law of this state, or of any rule of any court in this state.

Judgment may be rendered for deficiency.

§ 3. In all such actions now pending in any court, and in which the sheriff's or referee's report of the sale of the mortgaged premises has not been confirmed by an order of said court, and in all actions hereafter commenced for the forclosure or satisfaction of a mortgage upon real estate, said court may, on motion of the plaintiff therein, in case the moneys arising from the sale of the mortgaged premises shall be insufficient to pay the amount due the plaintiff for principal, interest, costs and expenses of such sale, (*to*) enter or render a judgment against the defendant or defendants who executed the note, bond or other evidence of debt accompanying the mortgage, for the amount of such deficiency, at the time of the confirmation of the sheriff's or referee's report of sale, or at any time thereafter; and (*that*) such report shall specify the amount of such deficiency.

The surety may be made a party to such judgment.

If the mortgaged debt be secured by the obligation or other evidence of debt, executed by any other person besides the mortgagor, the plaintiff may make such person a party to the action, and the court enter or render judgment for the balance of such debt remaining unsatisfied after a sale of the mortgaged premises, as well against such other person as against the mortgagor, and may enforce such judgment as in other cases: *provided*, that the provisions of this section shall not apply to or affect actions or proceedings to foreclose any mortgage, or enforce any instrument or contract made or given by any person or persons to any corporation, in whole or in part, for subscription to the capital stock of such corporation, or given in payment of such capital stock, in whole or in part, or made with or given to any person or persons for the benefit of such corporation, either in payment as aforesaid, or as security for such payment.

Not to apply to mortgages given to corporations.

Repeal.

§ 4. All acts and parts of acts inconsistent with or contravening the provisions of this act, are hereby repealed.

§ 5. This act shall be published immediately after its passage, and shall take effect and be in force immediately thereafter.

Approved April 7, 1862.

CHAPTER 244.

[*Published April* 10, 1862.]

AN ACT to authorize the transcribing and to make evidence of certain records.

(*See supplement to local laws.*)

CHAPTER 245.

[*Published April* 7, 1862.]

AN ACT to amend chapter 14 of the general laws of 1862, entitled "an act to provide for the re-levy of taxes in the county of Pierce, for the year 1861."

(*See supplement to local laws.*)

CHAPTER 246.

[*Published April* 10, 1862.]

AN ACT to appropriate to the Wisconsin state hospital for the insane, the sum of ($30,000) thirty thousand dollars.

(*See supplement to local laws.*)

CHAPTER 247.

[*Published April* 11, 1862.]

AN ACT to appropriate to the institution for the education of the deaf and dumb, the sum of ($12,200) twelve thousand two hundred dollars.

(*See supplement to local laws.*)

CHAPTER 248.

[*Published April* 10, 1862.]

AN ACT to declare certain days legal holidays.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Christmas and thanksgiving.

SECTION 1. The twenty-fifth day of December, the first day of January, and any day appointed by the governor of this state or the president of the United States, as a day of public thanksgiving, are hereby declared to be holidays.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 7, 1862.

CHAPTER 249.

[*Published May* 8, 1862.]

AN ACT to amend chapter 134 of the revised statutes, entitled "of executions and proceedings supplementary thereto."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Affidavit for garnishee, and service of the same.

SECTION 1. If, after the issuing of an execution, the person in whose favor the same is issued, or some one in his behalf, shall make an affidavit stating that he verily believes that any other person or corporation

(naming him or it) has property, credits or effects in his or its hands or possession, belonging to the judgment debtor, or that he or it is indebted to such judgment debtor, in an amount exceeding ten dollars, and shall deliver such affidavit to the officer having the execution, if such officer cannot levy upon such property and get the possession thereof, he shall serve such affidavit upon such person or corporation, by giving him or its president, secretary, treasurer or principal agent, a copy thereof, with a written notice to appear before a judge or a court commissioner of the county in which such person or corporation is served, on some day to be specified in such notice, not less than six nor more than twenty days from the time of such service, to answer, under oath, all such questions as shall be put to him touching his liability or the liability of such corporation, as garnishee of such judgment debtor.

Liability of garnishee.

SECTION 2. From the day of such service, the person or corporation so notified as garnishee, shall stand liable to such judgment creditor in whose favor such execution has been issued, to the amount of the property, moneys and credits in his or its hands or possession, and debts due or to become due from the garnishee to such judgment debtor; and the person so served with notice, shall attend before the judge or commissioner, in accordance with said notice, and answer, under oath, all questions put to him touching the property, credits and effects of the judgment debtor in said garnishee's possession, or within his knowledge, and as to all debts due or to become due from such garnishee to such judgment debtor.

Garnishee may be compelled to appear by attachment.

SECTION 3. If the person served with notice, as aforesaid, does not appear pursuant to such notice, the judge or court commissioner may compel his appearance by attachment; and on being brought before him, the judge or court commissioner may proceed to examine such person, or he may, at the request of the person in whose favor the execution was issued, report to the court from which such execution was issued, that such person, so served with notice, failed to appear pursuant thereto, and that he was so attached; and the court may punish such person by fine or imprisonment, or both, at the discretion of the court; and if any person, on his examination before the judge or court commissioner, shall refuse to answer all proper questions propounded to

If garnishee refuse to answer he may be fined and judgment rendered against him.

him, or to obey any order of such judge or court commissioner, said judge or court commissioner shall report the same to the court from which the execution was issued, and the court may punish such person by fine or imprisonment, or both, at the discretion of the court; and the court may also render a judgment against such garnishee for the amount of the execution, with costs.

When judgment creditor entitled to judgment against garnishee.

SECTION 4. In case the officer having the attachment specified in the two last [last two] sections, is unable to arrest the person against whom said attachment is issued, the person in whose favor the execution has been issued, shall be entitled to a judgment against the garnishee, for a sum not exceeding the amount of the damages, costs and interest for which such execution was issued.

Garnishee may appear and answer at any time before judgment.

SECTION 5. If the person served with the notice shall fail to appear and answer at the time and place specified in the notice served upon him, he may afterwards appear and answer before the judge or commissioner named in such notice, at any time before final judgment against him, by giving to the person in whose favor the execution was issued, or to his attorney, a notice of at least six and not more than ten days, of the time when he will so appear and answer: *provided*, that such judge or commissioner, before taking his answer, may, at his discretion, require him to pay all costs that have occurred [accrued] in the garnishee suit, up to the time such notice is given.

Proviso.

Answer to be reduced to writing and filed.

SECTION 6. It shall be the duty of the judge or commissioner before whom any person shall be examined under the provisions of this act, to reduce the answer of such person to writing, and to file the same in the office of the clerk of the court from which the execution was issued.

When garnishee to deliver property, &c.

SECTION 7. If it appear from the answer, that the garnishee was indebted to the judgment debtor or judgment debtors, or either of them, or that the garnishee had property in his or its hands or possession, belonging to such judgment debtor or judgment debtors, or either of them, at the time the notice to appear and answer was served, such garnishee shall forthwith deliver such property or pay the amount of his or its indebtedness to the sheriff or other proper officer having such execution, who shall proceed therewith according to law.

Delivery of property a bar to action by judgment debtor.

SECTION 8. In case the garnishee pays over the money due from him to the judgment debtor, or delivers the property in his hands belonging to the judgment debtor, in the manner provided for in the last section, he or it shall be no longer liable therefor to the judgment debtor; and such payment or delivery shall be a bar to any action that may be brought against such garnishee by such judgment debtor or his assignee, to recover the same.

If garnishee neglect to deliver property, judgment may be rendered against him.

SECTION 9. If the garnishee shall neglect to deliver over any property in his or its hands or possession, or to pay over any money due to the judgment debtor, in the cases mentioned in section seven of this act, the court may render judgment against the garnishee for the amount of his or its indebtedness to the judgment debtor, or for the value of such property; but the damages in such judgment shall not exceed the amount due on the execution for damages, interest and costs; or the court, in its discretion, at any time after the garnishee has answered, may render a judgment against the garnishee, directing and requiring him or it to deliver to the sheriff any property in the possession of the garnishee, or under his or its control, belonging to the judgment debtor.

Conveyance and sale of real estate of judgment debtor held by garnishee.

SECTION 10. If it appear from the answer of the garnishee or otherwise, that the garnishee holds the title of any real estate or any interest therein, in trust for the judgment debtor, or for his benefit, the garnishee shall convey the same to the sheriff, and the sheriff shall sell and dispose of the same under the direction of the court from which the execution issued, in the manner provided by law and the rules and practice of the court, for the sale of real estate by receivers appointed under proceedings supplemental to execution; and the court may, by its judgment, pass the title to any such real estate situate within this state, in case such garnishee refuses to convey the same.

No action by judgment debtor against garnishee until his answer, &c.

SECTION 11. No action shall be commenced by the judgment debtor or his assignee, against any such garnishee, from the time such garnishee is summoned to appear and answer, until he has an opportunity to appear and answer; and in case an action is pending for the recovery of any such money or property, at the time of the service of any such notice, the garnishee may obtain an order, staying proceedings in such action un-

til the garnishee can have an opportunity to appear and answer, or for such further time as the officer making such order shall deem proper: *provided, however,* that a judge or court commissioner may, upon the application of the judgment debtor or his assignee, upon cause being shown therefor to the satisfaction of such judge or court commissioner, make an order permitting him to commence an action against the garnishee forthwith.

Proviso.

When more than one judgment debtor, &c.

SECTION 12. When there is more than one judgment debtor against whom the execution is issued, the garnishee shall be liable to pay over any money due, and deliver property belonging to either or any of such judgment debtors.

When judgment may be rendered in favor of garnishee.

SECTION 13. If the garnishee, in his or its answer, deny all indebtedness or liability to the judgment debtor or judgment debtors, or any of them, he or it shall recover judgment against the judgment creditor in the execution, for his fees for travel and attendance, which shall be the same as those allowed to witnesses, unless the judgment creditor shall elect to have a trial on the issue formed by such answer.

Affidavit to be complaint, &c.

SECTION 14. The affidavit mentioned in the first section of this act, shall be deemed the complaint in the action against the garnishee, and the answer of the garnishee, taken on the examination, shall be the answer in such action.

Trial of issues between judgment creditor and garnishee.

SECTION 15. In case the judgment creditor is not satisfied with the answer of the garnishee, and shall elect to have a trial on the issue formed by such answer, such issue between the judgment creditor and garnishee shall be tried, and judgment thereon rendered, and costs awarded, and execution issued, in the same manner and with the like effect as in other personal actions, except that judgment against the garnishee shall, exclusive of costs in the garnishee suit, not be for a greater amount than the amount due on the judgment on which the execution was issued.

How judgment creditor may proceed against garnishee if he fail to deliver property.

SECTION 16. In case the answer of the garnishee shall be satisfactory to the judgment creditor, and it shall appear by it that the garnishee was indebted to the judgment debtor, or had in his possession property of the judgment debtor, which has not been paid over or delivered to the officer, as provided in section seven of this act, the court shall render judgment against the

garnishee according to the merits of the case, in the manner provided in section nine of this act.

Proceedings where garnishee liable to pay at future day, &c.

SECTION 17. If it shall appear upon the answer of the garnishee, or from the finding of the court or jury on the trial of the issue, that the garnishee is liable to deliver to the judgment debtor certain specific property, or to pay him any money at a future day, unless the payment of such money is secured by a negotiable note, the court may render a judgment against the garnishee, without costs, requiring him to deliver such property, or to pay such money over to the sheriff, at such time as he may be liable to deliver such property or pay such money.

Approved April 5, 1862.

CHAPTER 250.

[*Published April* 10, 1862.]

AN ACT to amend section one of chapter 89 of the general laws of 1858, entitled "an act concerning exemption of property from execution."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Fire engines, &c., exempt from execution.

SECTION 1. Section one of chapter eighty-nine of the general laws of 1858, approved May 13, 1858, and entitled "an act concerning exemption of property from execution," is hereby amended so as to read as follows: "Section 1. All fire engines, apparatus and equipments, including hose, hose carts and hooks and ladders, belonging to, or which may hereafter belong to any town, city or village in this state, and which are or may be kept and used for the protection of property in such town, city or village from fire, together with the engine houses and hook and ladder houses for the protection of the same, and the lot or lots on which such engine and hook and ladder houses may be situated, when owned by any such town, city or village, and any lot or lots owned, used and occupied by any such town, city or village for corporate purposes, shall be exempt from seizure or sale upon any attachment, execution or

other final process of any court, for any debt or liability of such town, city or village."

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 251.

[*Published April* 10, 1862.]

AN ACT relating to bills of exchange and promissory notes, and to repeal chapter 79 of the general laws of 1861, entitled "an act to amend chapter twelve of the revised statutes, entitled 'of notaries public.'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

How notice of protest to be given.

SECTION 1. Section five of chapter twelve of the revised statutes, is hereby amended so as to read as follows: "It shall be the duty of each and every notary public, when any bill of exchange or promissory note shall be by him protested for non-acceptance or non-payment, to give notice thereof, in writing, to the maker and each and every indorser of such bill of exchange, and to each and every surety or indorser of such promissory note, immediately after such protest shall have been made, by delivering to each person entitled to such notice, a copy of the same, or by depositing such copy in the postoffice, postpaid, and directed to him at the postoffice at or nearest to his known or reputed place of residence."

Repeal.

SECTION 2. Chapter seventy-nine of the general laws of 1861, entitled "an act to amend chapter twelve of the revised statutes, entitled 'of notaries public,'" is hereby repealed.

Approved April 5, 1862.

CHAPTER 252.

[*Published April* 10, 1862.]

AN ACT to amend chapter 160 of the general laws of 1859, entitled "an act to prescribe and limit the rate of interest," (*and repealing chapter* 202 *of the general laws of* 1860, *amendatory thereof.*)

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section one of chapter one hundred and sixty of the general laws of the year 1859, entitled "an act to prescribe and limit the rate of interest," is hereby amended by striking out of said section one, all after the words "shorter time." Amendment.

SECTION 2. This act shall take effect and be in force from and after the twentieth day of January, 1863.

Approved April 5, 1862.

CHAPTER 253. Repealed 1862 ch 357

[*Published April* 10, 1862.]

AN ACT to amend chapter 49 of the revised statutes, entitled "of the adoption of children."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section two of chapter forty-nine of the revised statutes, entitled "of the adoption of children," is hereby amended so as to read as follows: "If both or either of the parents of such child shall be living, they, or the survivor of them, as the case may be, providing they live in this state, shall consent to such adoption; but if they do not live in this state, or are gone to parts unknown, or if neither parent be living, then such consent may be given by the legal guardian of such child. If there be no legal guardian, the next of kin of such child, within the state, may give such consent; and if there be no such next of kin, the county judge may appoint some discreet and suitable person By whom consent to adopt may be given.

to act in the proceedings, as the next friend of such child, and give or withhold such consent."

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 254.

[*Published April* 10, 1862.]

AN ACT to amend chapter 79 of the revised statutes, entitled "of railroads."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Classes of preferred stock.

SECTION 1. Any railroad company hereafter organized under and by virtue of the provisions of section thirty-three of chapter 79 of the revised statutes, entitled "of railroads," shall have authority to issue one or more classes of preferred stock, as well as common stock, in such manner and upon such terms as may be prescribed in their articles of association.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 7, 1862.

CHAPTER 255.

[*Published April* 11, 1862.]

AN ACT to fix the terms of the circuit court in Kewaunee county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Terms of court.

SECTION 1. There shall be two terms of the circuit court held in the county of Kewaunee, in the fourth judicial circuit, in each year, as follows: One term on the fourth Monday in January, and one term on the fourth Monday in July.

SECTION 2. There shall be no grand or petit jury summoned or empanneled for the July term of the circuit court for said county of Kewaunee, unless ordered by the judge of the said fourth judicial circuit, and notice given by said judge to the clerk of the circuit court of said Kewaunee county, at least twenty days before the commencement of said July term of court. When so ordered, a grand and petit jury shall be summoned and empanneled as provided by law in other cases. No jury except by order of judge.

SECTION 3. All acts and parts of acts that conflict with the provisions of this act, are hereby repealed. Repeal.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 256.

[*Published April* 11, 1862.]

AN ACT to change the times of holding court in the counties of Douglas, [Douglass,] La Pointe and Ashland, in the eighth judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Hereafter the general terms of the circuit court in and for the counties of Douglas, [Douglass,] La Pointe and Ashland, in the eighth judicial circuit, shall be held at the following times: Terms changed.

In the county of Douglas, [Douglass,] on the first Monday of February and August, in each year. Douglass.

In the county of La Pointe, on the third Monday of February and August, in each year. La Pointe.

In the county of Ashland, on the second Monday of February and August, in each year. Ashland.

SECTION 2. All writs, summons, process, indictments, recognizances and other proceedings, made returnable to the terms now fixed by law, shall be deemed returnable to the terms as fixed by this act; and all adjournments, continuances, motions and notices of any proceedings in the circuit court of said county, [counties,] made or taken to any term of a date subsequent Process, &c., returnable.

to the time when this act shall take effect, shall be held and taken for the time herein fixed for holding the terms of said court.

Repeal. SECTION 3. All acts and parts of acts in conflict with the provisions of this act, are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved April 7, 1862.

CHAPTER 257.

[*Published April* 11, 1862.]

AN ACT requiring county judges and other officers therein named, to file statements from their dockets in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1863 p. 486

Statement to be filed before first Monday of November.

amended 1865 p. 119

SECTION 1. County judges, court commissioners and justices of the peace, in the several counties in this state, shall hereafter, on or before the first Monday of November, in each year, forward to the clerk of the board of supervisors of their respective counties, a true and correct statement of all actions or proceedings had before them, wherein the county shall have become liable for the costs, setting forth the name or names of the parties in the actions or proceedings, the nature of such actions or proceedings, and the result of the same, and also the amount of the costs, in detail, in each case, what items of cost, if any, have been paid, and the amount of the same.

Clerk to enter statement. SECTION 2. Immediately upon the receipt of such statement, by the clerk of the board of supervisors, he shall enter the same at length in a book to be kept by him for that purpose in his office.

Fees for return. SECTION 3. County judges, court commissioners and justices of the peace shall each be paid by the county the sum of one dollar for such return, and six cents per mile for travel one way, for making the same; and

Penalty for not making return. no such officer who shall neglect or refuse to make and return the statement required by the first section of this act, by the time in said section prescribed, shall be

entitled to receive any compensation from the county for any service rendered by him in any criminal case or proceeding, during the year next preceeding [preceding] the time when such statement is required to be made and returned.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 5, 1862.

CHAPTER 258.

[*Published April* 11, 1862.]

AN ACT to amend section 19 of chapter 117 of the revised statutes, entitled "of county courts."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section nineteen of chapter one hundred and seventeen of the revised statutes, entitled "of county courts," is hereby amended so as to read as follows, viz.: "Section 19. No clerk or other person employed in the office of any county judge, shall be commissioner, appraiser or divider of any estate in any case that is within the jurisdiction of such county judge or of the county court; nor shall any county judge, nor any clerk or other person employed in the office of any county judge, act in the capacity of attorney for any executor, administrator or guardian, in drawing petitions, stating accounts, or in any manner whatever, in any matter, suit or proceeding pending in such county court, or to be passed upon by such county judge." Repealed (in parenthesis) 1862 p 142

Who shall not appraise an estate, draw petition, &c.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 5, 1862.

CHAPTER 259.

[*Published April* 11, 1862.]

AN ACT concerning the terms of court in the ninth judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Two special terms each year, for trial of issues of law, &c.

SECTION 1. There shall be holden by the circuit judge of the ninth judicial circuit, at least two special terms within said circuit, in each year, for the trial of issues of law, for the hearing of motions, and the transaction of any and all business that may be done at a stated term, except the trial of issues of fact, by a jury, at such times and places as the judge of said circuit shall designate, which designation shall be made as soon as practicable, and before the first day of June, and shall not be changed within one year; and at such terms, the issues of law and motions, and all other business that may be transacted thereat, pending in any and every county in said circuit, may be heard and disposed of with the same force and effect as it may now be heard and disposed of in the counties in which the causes or matters are pending; and when the causes or matters are pending in other counties of the circuit, different from the county in which the special term is holden, the clerk of the circuit court shall certify the orders, judgments and papers to the clerk of the circuit court of the county where the same is pending; and the papers shall be filed and entered by the clerk of the court where the cause or matter is pending, in the same manner as if the cause or matter had been heard or decided by the circuit court at a term thereof, holden in the county where it is pending.

Business that may be disposed of.

Transmission of papers, &c.

§ 2. For the purpose of the hearing or trial of any cause or matter in any other county than that where the same is pending, the clerk of the circuit court shall, at the request of either of the attorneys in said cause or matter, transmit all the papers on file in said cause or matter to the place of trial or hearing, under his official certificate, certifying the same to be all the original files and papers in such action, cause or matter. Such papers or files shall be by such clerk inclosed in an envelop, sealed by him, directed to the clerk of the circuit court of the county where such special term is

to be, or is being held; and the same may be transmitted by mail, or by the hand of either of the attorneys in such cause, action or matter: *provided*, that before any clerk shall be obliged to transmit any such papers or files or orders, all necessary postage therefor shall be paid by the party applying therefor; *and provided, further*, that no clerk shall be required to certify back any papers, files, judgments or orders to any such county where the same were originally pending, until his fees in such cause or matter are paid. Postage and clerk's fees to be paid.

§ 3. Chapter 126 of the general laws of 1860, entitled "an act to authorize the holding of a special term of the circuit court in and for the county of Jefferson," is hereby repealed. Repeal.

§ 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 7, 1862.

CHAPTER 260.

[*Published April* 11, 1862.]

AN ACT to provide for depositing certain papers in the quartermaster general and commissary general's departments, in the office of the secretary of state, and constitute the same legal evidence.

(*See supplement to local laws.*)

CHAPTER 261.

[*Published April* 11, 1862.]

AN ACT relating to "Martin's soldiers' record."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The military records of soldiers' names, and time of enlistment, executed by S. W. Martin, and known as "Martin's soldiers' record," having thereto May be received in evidence.

annexed a certificate of the correctness of such record, signed by the adjutant general of this state, may, in the discretion of the court, be received in any court of this state as evidence of the enlistment and time of enlistment of persons whose names are therein recorded.

Approved April 7, 1862.

CHAPTER 262.

[*Published April* 11, 1862.]

AN ACT to authorize the governor to appoint surgeons in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Surgeon may be appointed to each battery, with rank of lieutenant.

SECTION 1. The governor is hereby authorized, with the consent of the war department, to appoint one surgeon, with the rank of lieutenant, for each battery of artillery raised and organized in this state, such surgeon to be subject to all the rules and regulations of similar officers in the service of the United States, and to be paid out of the war fund in the state treasury.

State surgeon may be transferred from any regiment to battery.

SECTION 2. In complying with the provisions of section one of this act, the governor shall transfer any surgeon attached or appointed to serve in any regiment of infantry or cavalry organized within this state, appointed under the provisions of section two of chapter four of the general laws passed at the extra session of 1861, to any battery of artillery, if, in his opinion, the services of such surgeon can be dispensed with by the regiment of infantry or cavalry to which he is now attached, which transfer shall be held to be an appointment within the meaning of this act.

Application.

SECTION 3. The proviso in section two (2) of chapter four (4) of the general laws passed at the extra session of the legislature in the year 1861, which authorizes the appointment of two assistant surgeons to each regiment, shall be held to apply to regiments of cavalry raised and organized in this state, equally as to regiments of infantry; and second assistant or

Payment of surgeons.

state surgeons, heretofore appointed and commissioned by the governor to cavalry regiments raised within the state, shall be paid for the time actually employed in service under such commission, in the same manner and at the same rate of compensation as is paid by the state to second assistant surgeons appointed to infantry regiments.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 263.

[*Published April* 11, 1862.]

AN ACT to amend chapter one hundred and thirty-one of the general laws of 1862, entitled "an act to suspend the sale of certain lands mortgaged to the state, or held by volunteers."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section four of chapter one hundred and thirty-one of the general laws of 1862, is hereby amended as follows: Strike out of said section the words "third day of December, 1861," and insert in lieu thereof the words "first day of April, 1862." Amendment.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 264.

[*Published April* 11, 1862.]

AN ACT further to declare the rights and privileges of such persons as are or may be enrolled in the service of the country.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The provisions of chapter seven of the Application.

general laws passed at the extra session of the legislature of this state, commencing May 15th, 1861, and of the act to which that is amendatory, shall apply to foreclosures of mortgages by advertisement under chapter one hundred and fifty-four of the revised statutes; and whenever it shall appear by affidavit or otherwise, to the satisfaction of any judge of a court of record or court commissioner, that a mortgage is sought to be foreclosed under the provisions of said chapter one hundred and fifty-four, against any person who is a member or officer of any company, regiment, corps or division, as a volunteer in the military service of the United States or of this state, and that such person is the owner of the property on which such mortgage is so sought to be foreclosed, it shall be the duty of such judge or court commissioner to order a stay and suspension of such proceedings of foreclosure, until it shall be made to appear that such person is no longer such member or officer; and every sale made in any such foreclosure proceedings, while such order of stay or suspension is in force, shall be void: *provided*, that notice of such order be given publicly at the time of such sale.

Proceedings to be stayed.

Sales void.

Proviso.

When not applicable.

SECTION 2. The provisions of said chapter 7, and of the act to which that is amendatory, shall not extend or apply to proceedings under chapter 151 of the revised statutes, entitled "of forcible entry and unlawful detainer," nor to any suit brought against any person for monies belonging to any school district, collected or received by such person as an officer of any such school district or town.

SECTION 3. This law shall take effect and be in force from and after its publication.

Approved April 5, 1862.

CHAPTER 265.

[*Published April* 11, 1862.]

AN ACT to amend chapter 263 of the general laws of 1860, entitled "an act to provide for the government of the Wisconsin state hospital for the insane, and for other purposes."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

What necessary for admission of patients.

SECTION 1. Chapter two hundred and sixty-three of the general laws of 1860, entitled "an act to provide for the government of the Wisconsin state hospital for the insane, and for other purposes," is hereby amended by striking out section twelve of said act, and inserting the following, to stand as section 12: "Section 12. Before an insane person shall be admitted into the said hospital, such person shall be examined by two physicians of acknowledged skill and ability in the medical profession, residing in this state, who shall certify that, after careful examination of such person, he is [they are] fully satisfied that said person is insane; and the chairman of supervisors of the town, or the president or mayor of the village or city, in which such person resides, shall certify that such examination has been made, and shall forward such certificate, with the certificate of the examining physicians, to the superintendent of the hospital. The state shall not be liable for any expenses for examining patients and conveying them to the hospital, or for removing them from the hospital. But where a patient is in indigent circumstances, application may be made to the chairman of supervisors of the town, or to the president or mayor of the village or city in which such insane person may reside, and such chairman, president or mayor, as the case may be, shall appoint some suitable person to convey such patient to the hospital; and all expenses incurred in the examination and conveyance of such insane person to the said hospital, shall be paid by the county in which such person resides: *provided, however*, that if any person shall become insane when in another county in this state than that in which he resides, such person may be sent to said hospital from the town or city in which he may be when taken insane, in the same manner in which he could have been sent from

Indigent patients

Expenses to be paid by county.

the town or city in which his residence is located; and all necessary expenses in examining and conveying such insane person to the hospital, shall be properly chargeable to the county in which such person resides:

Removal of children of patients born in asylum.

and provided, further, that if any female patient shall give birth to a living child, while such female is an inmate of the said hospital, and if she has not been an inmate of the said hospital for more than nine months, such child shall be immediately removed from the hospital by the friends of the mother, or by the county in which the mother resided before being sent to the hospital. But if such child is not so removed immediately after the clerk of the board of supervisors has been notified by the superintendent to make such removal, the said superintendent shall cause suitable provision to be made for the care and comfort of such child, and shall charge all accruing expenses to the county in which the mother resided before being sent to the hospital.

Expenses may be charged to county.

And if any such county shall neglect to pay the expense of taking care of and supporting such child, the said superintendent shall annually include the amount due from such county for such purpose, in the report which he is required to make to the secretary of state, by section eight of this act, which shall be collected and paid out as therein provided: *provided*, that when an insane person is sent to said hospital from the county jail or poor house of any county, the sheriff of such county or superintendent of such poor house, as the case may be, may perform all the duties required to be performed by the chairman of supervisors or mayor of a city, when patients are sent to said hospital from such town or city."

When sheriff may perform duties of chairman, &c.

Expenses of removal from asylum.

Superintendent may cause removal at expense of county.

SECTION 2. Add the following to section thirteen of the act to which this is amendatory: "*provided*, that the expense of removing from the hospital such indigent insane person, shall be paid from the county treasury; and if the said chairman, mayor, president or any other person whose duty it was to remove an insane person from the hospital, when so notified by the superintendent, shall unreasonably neglect to remove such person, after notice as aforesaid, the said superintendent shall cause such person to be conveyed to and lodged in the county poor house of such county, or in the county jail, if there be no poor house in the county; and all expense incurred for such removal of said

person, shall be charged to the county by said superintendent, and included in his report to the secretary of state, and collected and paid over as provided in section eight of this act."

Approved April 5, 1862.

CHAPTER 266.

[*Published April* 11, 1862.]

AN ACT to authorize the purchase of steam boilers for the Wisconsin state hospital for the insane.

(*See supplement to local laws.*)

CHAPTER 267.

[*Published April* 11, 1862.]

AN ACT to exempt certain university lands from taxation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

10,000 acres of land of Lawrence university exempted from taxation for five years.

SECTION 1. All real estate and each tract and parcel thereof, not to exceed ten thousand acres in the whole, and not to exceed two thousand acres in any one county at the same time, nor to exceed six hundred and forty acres in any one town at the same time, which has been or shall hereafter be conveyed in fee to the Lawrence university, of Wisconsin, for educational purposes, shall, while so held in fee simple by said university, expressly for educational purposes, and for the endowment of said university, be exempt from taxation for the period of five years from and after the time of the vesting of the fee of such lands in said university: *provided*, that the period of exemption on such lands as are now owned and held in fee by said university, for the purposes aforesaid, shall be construed to commence on the first day of April, 1862: *and provided, further*, that such lands, or any part thereof, shall

Provisos.

not be exempt from taxation from and after the time the same shall be sold, contracted to be sold, leased, mortgaged, conveyed, or in any manner incumbered by said university.

Descriptions of lands owned and sold to be filed.

SECTION 2. The president of the said university shall annually, on the first day of June, file with the clerk of the board of supervisors of each county in which there may be lands exempt as aforesaid, a statement in writing, verified by his affidavit, setting forth by proper descriptions all the lands owned by said university in each of such counties respectively, designating also the number of acres in each town. And the said president shall also annually, on the first day of June, file with the clerk of the board of supervisors of each county in which such university may have lands exempt as aforesaid, a statement in writing, verified by his affidavit, setting forth correctly a description of all the lands sold, contracted to be sold, leased, mortgaged, conveyed, or in any manner incumbered within the year preceding. And the said president shall annually, on the first day of June, file with the town clerk, city or village clerk, as the case may be, of each town, city or village in which the said university may have any lands exempt as aforesaid, like statements in writing, verified by his affidavit, showing all the land owned in each town, city or village by said university, and also showing the number of acres and the description thereof sold, contracted to be sold, leased, mortgaged, conveyed, or otherwise incumbered. And it is hereby made the duty of such clerks of the boards of supervisors, town clerks, city clerks and village clerks, to receive such statements and file them in their offices respectively.

Lands elected to have exempted to be filed.

SECTION 3. In case the said university shall hold in fee any more than two thousand acres of land in any one county, or more than six hundred and forty acres in any one town, the president of the said university shall file with the clerk of the board of supervisors, and with the town, city or village clerk of the proper county and town, city or village in which said university may have land exempt as aforesaid, a statement in writing, setting forth by proper descriptions what lands the said university has elected to have exempt from taxation, not exceeding the limit as hereinbefore provided.

Such lands not to be assessed.

SECTION 4. In case the aforesaid statements, as provided for in section two of this act, shall be filed with the clerks of the boards of supervisors of the proper counties, and with the clerks of the proper towns, cities or villages, then the assessor or the assessors, as the case may be, shall omit to assess such lands as are in and by this act exempted from taxation.

When descriptions to be filed.

SECTION 5. In case the said university shall hold in fee any more than two thousand acres of land in any one county, or more than six hundred and forty acres in any one town, in order to entitle the said university to the exemption provided for by this act, the president of said university shall annually, on the first day of June, file with the clerks of the respective boards of county supervisors, towns, cities or villages in which such lands may lie, a statement in writing, setting forth accurately, by proper descriptions, what lands the said university has elected to have exempt from taxation, not exceeding the amount as hereinbefore provided, and such lands so elected shall be exempt accordingly.

When lands may become subject to taxation.

SECTION 6. In case any of the lands now owned, or which shall hereafter be owned, by said university, shall be sold, contracted to be sold, leased, mortgaged, conveyed, or in any manner incumbered by said university, its officers or agents, or either of them, then such lands shall immediately become subject to taxation, and the exemption provided for by this act shall no longer apply to such lands.

If statement not filed, lands not to be exempt.

SECTION 7. If the president of said university shall refuse or neglect to file, or cause to be filed, annually with the clerks of the boards of supervisors, and with the town clerks of the respective counties and towns, or either of them, the statements, or either of them, as is in this act provided, then the said lands of the said university shall not be exempt from taxation, anything in this act to the contrary notwithstanding.

False statement a forfeiture.

SECTION 8. If any of the officers, trustees or managing agents of said university, shall make or cause to be made any false statement, either oral or in writing, with intent to procure exemption of or to save from taxation any lands whatever, other or greater in quantity than is provided in this act, such false statement shall work a forfeiture of the exemption provided by the provisions of this act, and thereupon such lands shall be subject to taxation immediately.

When exemption to cease.

SECTION 9. The exemption from taxation, as provided in this act, shall not extend to any lands after the first day of June, in the year one thousand eight hundred and seventy-two; but all lands which shall belong to the said university at that date, shall be subject to taxation thereafter, excepting such real estate as is now by law exempt from taxation.

SECTION 10. This act shall take effect and be in force from and after its passage, and shall continue in force until the first day of June, in the year one thousand eight hundred and seventy-two, and not longer.

Approved April 5, 1862.

CHAPTER 268.

[*Published April* 11, 1862.]

AN ACT to appropriate from the capital of the university fund, a sufficient sum to pay the debts against the state university.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Loan canceled and paid.

SECTION 1. The loan heretofore made by the regents of the university of the state of Wisconsin, from the principal of the university fund, for the erection of the main edifice of the state university, is hereby declared canceled and paid, by the erection of the said main edifice, and said board of regents is hereby absolved from all obligations heretofore existing for the repayment of such loan.

ayment of indebtedness of niversity.

SECTION 2. The said board of regents of the university of the state of Wisconsin, is hereby authorized to apply a sufficient sum of the principal of the university fund, to pay any and all indebtedness heretofore created under any law of this state for the erection of any of the buildings of said university; and for that purpose, if the said board of regents so desire, the commissioners of the school and university lands are hereby empowered and directed to apply a sufficient sum or sums of the principal of said university fund for the payment of such indebtedness, and to transfer and deliver a sufficient amount of the university land

certificates, belonging to said fund, at their par value, to any other fund, person or corporation, for the extinction of such indebtedness or any part thereof: *provided*, that if any such certificates for that purpose, transferred to the school fund, should be forfeited thereafter, the same shall be retransferred to the university fund, and the university fund shall pay to [the] school fund the face of such certificate.

Sinking fund.

SECTION 3. The said board of regents shall not be obliged to maintain and keep a sinking fund for the payment of any indebtedness created by any law of this state, for the erection of any buildings of said university.

Repeal.

SECTION 4. All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

SECTION 5. This act shall be in force and take effect immediately after its passage and publication.

Approved April 5, 1862.

CHAPTER 269.

[*Published April* 11, 1862.]

AN ACT to amend section sixty-two of chapter 28 of the revised statutes, entitled "of the school and university lands."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Owner may redeem before sale —if not redeemed to be sold.

SECTION 1. Section sixty-two of chapter 28 of the revised statutes, is hereby amended so as to read as follows: "The owner of such lands, or any person for him, may, at any time before the sale, pay the amount due, with three per cent. damages and costs, and further proceedings on the sale shall cease; but if the same shall not be paid, the lands shall be offered for sale at public auction to the highest bidder. The minimum price at such resale shall be the amount due on the lands for principal and interest, with the costs of advertising and sale, the three per cent. damages, and all taxes unpaid or tax liens; and if the lands shall not then be sold, they shall thereafter be subject to private entry at such minimum price, in the manner specified

Amount to be paid by purchaser.

in this chapter: *provided, however*, that no purchaser at such resale or at private entry, shall be compelled to pay any other or greater sum, either for principal, interest, damages, taxes, tax liens or costs, than shall be specified in the certificate of sale given him at such resale or purchase at private entry.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 270.

[*Published April* 11, 1862.]

AN ACT to amend sec. [section] 66 of chapter 23 of the revised statutes, entitled "of common schools."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Tax for building school house in new district.

SECTION 1. Section sixty-six of chapter twenty-three of the revised statutes of the state of Wisconsin, is hereby amended by adding to the same the following clause: "In case the new district shall have raised a tax and erected or provided for itself a school house, before the former district shall have raised and paid over to the treasurer of the new district the amount in this section provided to be raised and paid over, it shall be the duty of the treasurer of the new district in whose hands said amount, so paid over, may at any time remain, to pay over, on demand, the sum so paid him or his predecessor, by the former district, to the individuals to whose credit the same would have gone, had said sum been raised and paid over by the former district before the said school house was erected or provided by the new district; and should such treasurer refuse, on demand by any party entitled thereto, to pay over to him his just proportion of said amount, the same may be collected in a suit at law by said party, upon the official bond of such treasurer."

Approved April 5, 1862.

CHAPTER 271.

[*Published April* 12, 1862.]

AN ACT to amend chapter 176 of the general laws of 1862, entitled "an act to establish a system of graded certificates, and to amend chapter 179 of the laws of 1861."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Third grade certificates may be issued for less period than one year.

SECTION 1. Section three of chapter 176 of the general laws of 1862, is hereby amended by adding thereto the following words: "And each county superintendent may issue third grade certificates for a less period than one year, and for a particular district, whenever he is satisfied that the applicant is qualified to teach in such district, and is not qualified to teach in every district of the town for which he is licensed."

Examinations prior to April 1, 1862.

SECTION 2. In cases where examinations have been held prior to the first day of April, 1862, the county superintendent may issue certificates of either grade, as provided for in the act of which this is amendatory, the same as if said examinations had been held after the passage of said chapter 176 aforesaid.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 7, 1862.

CHAPTER 272.

[*Published April* 12, 1862.]

AN ACT in relation to the officers of the state agricultural society.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Term of office extended and acts legalized.

SECTION 1. The officers of the Wisconsin state agricultural society, elected "at and during the state fair of 1860," as provided in the constitution of said society, are hereby authorized to be and continue in the lawful administration of the affairs of the said society, until such time as their successors may be constitutionally

elected, and their several official acts, since the expira- of the term for which they were elected, shall be deemed legal and valid.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 273.

[*Published April* 12, 1862.]

AN ACT to regulate the keeping and management of slaughter houses in this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Not to be erected on bank of river, &c., in city or incorporated village.

SECTION 1. Hereafter it shall be unlawful for any person or persons to erect, maintain or keep a slaughter house upon the banks of any river, stream or creek, or to throw or deposit any of the carcasses or offal therefrom in or upon the banks of any such river, stream or creek which shall flow through any city or incorporated village in this state.

Definition of "bank."

SECTION 2. The word "banks," as used in the preceding section, shall be construed to mean any land which shall have a direct continguity to such stream and slaughter house therein mentioned.

Penalty.

SECTION 3. Whoever shall erect, maintain or keep a slaughter house, or shall deposit any carcass or offal therefrom in or upon the banks of any river, stream or creek, contrary to the provisions of section one of this act, shall forfeit for every such offense a sum not less than fifteen dollars; and the mayor of every city, the president of every incorporated village, and the chairman of the board of supervisors in every town, in which such slaughter house shall be located or conducted as aforesaid, shall have power to and shall cause the same immediately to be removed.

Duty of mayor, &c.

Penalty for neglect of duty by officers.

SECTION 4. Every public officer aforesaid who shall knowingly permit any slaughter house to be maintained or conducted contrary to the provisions of section one

of this act, shall forfeit for every such offense the sum of fifteen dollars.

SECTION 5. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 274.

[*Published April* 12, 1862.]

AN ACT to authorize towns and counties in this state to purchase Williams' improved excavator.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Town board may purchase, &c.

SECTION 1. The board of supervisors of the several towns and counties, respectively, in this state, are hereby authorized to purchase E. H. D. & R. W. Williams' improved machine for excavating, grading, plowing, trenching, &c., &c., together with the right to use the same in their respective towns and counties, as the case may be, whenever, in the opinion of such board, the interests of such town or county require it.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 275. 1863 c 202

[*Published April* 11, 1862.]

AN ACT to suppress the sale of intoxicating liquors to Indians.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Intoxicated Indian may be arrested without process, and retained in custody until sober.

SECTION 1. Whenever any Indian in this state belonging to any tribe under the care or guardianship of the United States, shall be found in a state of in-

toxication, it shall be the duty of any sheriff, deputy sheriff, constable, justice of the peace, Indian agent, or any employee of an Indian agent, within this state, without warrant, to apprehend such Indian so intoxicated, and take and retain him in custody, at the expense of the county in which he is so found, until, in the opinion of such officer, the Indian so retained shall become sufficiently sober to testify properly in a court of justice, and as soon as may be thereafter, bring him before some justice of the county; and such Indian, so found intoxicated, shall, on oath, before such justice, disclose the place where and the person of whom the liquor so producing intoxication was obtained, and all the circumstances attending it; and on the refusal or neglect of such Indian to disclose, he may, by such justice, be committed to the common jail of the county in which he was so found, until he shall so disclose, or by said justice be discharged. And in case said justice shall judge from the evidence that the sale, furnishing or giving away said liquor was an offense, as provided in section one of chapter 36 of the revised statutes, he shall forthwith issue his warrant, and cause the person so selling, furnishing or giving away said liquor to be brought forthwith before him; and such proceedings shall be had in the case, in all respects, as would have been had if the person so offending had been regularly prosecuted before such justice for such offense. And any person resisting the arrest or detention of such Indian, so found intoxicated, by any of the persons aforesaid authorized by this act to make such arrest, shall be liable to the same penalties as are provided by law for resisting a sheriff in the execution of a legal process.

To disclose where liquor was obtained—if he refuse, may be committed.

Justice may issue warrant, &c.

Penalty for resisting arrest.

SECTION 2. This act shall be in force and take effect from and after its passage and publication.

Approved, April 5, 1862.

CHAPTER 276.

[*Published April* 8, 1862.]

AN ACT to postpone the tax sales and the assessment of property for the year 1862.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Tax sales postponed—when lis to be advertised.

SECTION 1. The tax sales appointed by existing laws to take place on the second Tuesday of May, 1862, are hereby postponed until the first Tuesday of September next. No county treasurer in this state shall advertise any lands returned as delinquent the present year, (1862,) to be sold for unpaid taxes, until after the last Monday in July next. Any person may discharge the taxes on any parcel of land returned as aforesaid, or on any part thereof or interest therein, prior to said last Monday of July, by paying such taxes to the county treasurer, and all lawful charges thereon [exclusive of interest and advertising fees]

When tax may be discharged without fee for advertising.

Rep? Cap 33 Sec 3. post

Postponement of assessment for 1862.

SECTION 2. The assessment of property, real and personal, required by existing laws to be made the present year, (1862,) is hereby postponed until the first Monday in August next; and no assessor shall be required or allowed to perform any act relating to the assessment of property for the present year, prior to the day last mentioned, any provision of existing laws to the contrary notwithstanding.

Rep.d

Cap 362. post

Assessment rolls not to be prepared until after Aug. 4th.

SECTION 3. The clerks of the boards of supervisors (*of each*) of the several counties in this state, are hereby authorized and directed not to procure or prepare any assessment rolls for the present year until after the first Monday of August next.

Rep?

Sec'tary of state to send copy of this act, &c.

SECTION 4. The secretary of state is hereby directed to cause this act to be printed immediately, and to transmit a printed copy thereof to each county treasurer and clerk of the county board of supervisors immediately; and this act shall be in force from and after its passage and publication.

Approved April 5, 1862.

CHAPTER 277.

[*Published April* 12, 1862.]

AN ACT to repeal chapter 116 of the general laws of 1861, entitled "an act to amend sections 15 and 18 of chapter 22 of the general laws of 1859, entitled 'an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof.'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Repeal.

SECTION 1. Chapter 116 of the general laws of 1861, entitled "an act to amend sections 15 and 18 of chapter 22 of the general laws of 1859, entitled 'an act relative to the sale of lands for unpaid taxes, and the conveyance and redemption thereof,'" is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 7, 1862.

CHAPTER 278.

[*Published April* 12, 1862.]

AN ACT to provide for the relevy of taxes, the collection of which has been prevented by irregularity.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

If proceedings be irregular, tax may be assessed succeeding year.

SECTION 1. Whenever the treasurer of any town, village or city in this state, shall be prevented, on account of any irregularity or informality in his warrant, or in any part of the proceedings relative to such tax, or on account of any clerical error or misdescription, from collecting the taxes in the warrant included, or any part thereof, the taxes so remaining uncollected shall be assessed against the same person or property the next succeeding year; and if it shall be necessary to supply any omission or correct any mistake in the proceedings, the proper officer, person or body shall supply such omission or correct such mistake, be-

Mistakes may be corrected.

fore the time for making out the tax warrant for the next year; and the clerk of such town, village or city shall, in making out the warrant to the treasurer in the next succeeding year, include the amount of tax for the previous year, placing the same in a separate column, but adding it to the total.

Application of statutes in cases where land ought not to be sold.

SECTION 2. The provisions of sections 3 & 4 of chapter 197 of the general laws of 1861, are hereby extended to cases in which the county treasurer shall, before the sale, ascertain that any lands ought not to be sold, and shall refuse or be prevented from selling the same, by reason of any informality or irregularity in the previous proceedings: *provided*, it appears that the land was justly taxable, and the tax authorized by law, and is legal in substance.

If part of tax illegal, balance may be assessed succeeding year.

SECTION 3. When it shall appear that any one or more of the different items of tax assessed against any tract or person, for any one year, are illegal in substance, and the officer charged with the collection thereof shall be thereby prevented from collecting taxes against such tract or person for that year, the amount of taxes for that year, deducting the items so appearing to be illegal, shall be added by the clerk of the proper town, village or city, to the tax assessed against the same part [tract] or person for the succeeding year, and [included] in the total, but placed in a separate column.

Application.

SECTION 4. The provisions of this act shall apply to the taxes of 1861, as well as to those of subsequent years.

Reassessment of tax where collection prevented by judgment of court.

SECTION 5. In case the collection of any tax shall be prevented by the judgment of any court, on account of informality or irregularity not affecting substantially the whole tax, such tax, or so much thereof as may not have been adjudged illegal in substance, shall be added as aforesaid to the amount of tax next to be assessed against the same tract or person, after the final judgment of the court.

SECTION 6. This act shall take effect from and after its passage and publication.

Approved April 5, 1862.

CHAPTER 279.

[*Published April* 12, 1862.]

AN ACT to amend chapter 386 of the general laws enacted in 1860, entitled "an act to amend chapter 18 of the revised statutes, entitled 'of the assessment and collection of taxes,' approved March 18th, 1859, as amended by chapter 295 of the general laws of 1860, approved March 31st, 1860; published as amended, in accordance with the requirements of section 2 of said chapter 295.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Duties of assessors where persons refuse to make out and make oath to statement of personal property.

SECTION 1. Section thirty-four of chapter three hundred and eighty-six of the general laws enacted in 1860, entitled "an act to amend chapter eighteen of the revised statutes, entitled 'of the assessment and collection of taxes,' approved March 18th, 1859, as amended by chapter 295 of the general laws of 1860, approved March 31st, 1860, published as amended, in accordance with the requirements of section two of said chapter two hundred and ninety-five," is hereby amended so as to read as follows: "Section 34. In every case where any person shall refuse to make out and deliver to the assessor a statement of personal property, as required by this act, or shall refuse to make oath to the truth of such statement or any part thereof, which by this act he is required to verify by his oath, and in every case where any person, by reason of absence or any other cause, shall neglect or fail to make out and deliver such statement as aforesaid, the assessor shall proceed to ascertain the number and value of each description of the several articles of personal property enumerated in the eighth section of this act; also, the amount of moneys and credits of merchants' and manufacturers' stock, and the aggregate value of all other articles of personal property subject to taxation, of which a statement shall have been withheld by the person required to list the same; and to enable the assessor to arrive at the above facts, he is hereby authorized to examine, on oath, any person whom he may suppose to be possessed of the neceesary information."

Approved April 7, 1862.

CHAPTER 280.

[*Published April* 12, 1862.]

AN ACT to amend section nineteen of chapter three hundred and eighty-six of the general laws of the year eighteen hundred and sixty, entitled "an act to amend chapter eighteen of the revised statutes, entitled 'of the assessment and collection of taxes,' approved March eighteenth, eighteen hundred and fifty-nine, as amended by chapter two hundred and ninety-five of the general laws of eighteen hundred and sixty, approved March thirty-first, eighteen hundred and sixty; published as amended, in accordance with the requirements of section two of said chapter two hundred and ninety-five."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amendment.

SECTION 1. Section nineteen of chapter three hundred and eighty-six of the general laws of the year eighteen hundred and sixty, is hereby amended by inserting after the word "ward" in the fourth line of said section, the following words, to wit: "and shall designate the piece, parcel or tract of land in the town other than village, on which the owner, occupant or other person liable to taxation resides."

Approved April 7, 1862.

CHAPTER 281.

[*Published April* 12, 1862.]

AN ACT to amend chapter 295 of the general laws of 1860, entitled "an act to amend chapter 167 of the general laws of 1859, entitled 'an act to amend chapter 18 of the revised statutes, entitled 'of the assessment and collection of taxes.'' "

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amendment.

SECTION 1. Section 1 of chapter 295 of the general laws of 1860, entitled "an act to amend chapter 167 of the general laws of 1859, entitled 'an act to amend chapter 18 of the revised statutes, entitled 'of the assessment and collection of taxes,'' " is hereby amend-

ed by adding to subdivision 13 of said section one, the following: "and villages not incorporated."

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

CHAPTER 282.

[*Published April* 12, 1862.]

AN ACT to provide for the publication of the list of unredeemed lands in the county of Clark, to this state.

(*See supplement to local laws.*)

CHAPTER 283.

[*Published April* 12, 1862.]

AN ACT in relation to the return of delinquent lands in certain cases.

(*See supplement to local laws.*)

CHAPTER 284.

[*Published April* 12, 1862.]

AN ACT to postpone the sale of lands in the county of St. Croix, for delinquent taxes for the year 1861.

(*See supplement to local laws.*)

CHAPTER 285.

[*Published April* 12, 1862.]

AN ACT to amend chapter 88 of the general laws of 1862, [entitled] "an act to extend the time of the payment of taxes in the county of Wood."

(*See supplement to local laws.*)

CHAPTER 286.

[*Published April* 12, 1862.]

AN ACT to authorize the assessors of the town of Franklin, in the county of Manitowoc, to reassess the real estate in said town.

(*See supplement to local laws.*)

CHAPTER 287.

[*Published April* 12, 1862.]

AN ACT to authorize the assessment of the real property of the town of Westford, in the county of Dodge, for the year 1862.

(*See supplement to local laws.*)

CHAPTER 288.

[*Published April* 12, 1862.]

AN ACT to authorize the town of Belgium, in the county of Ozaukee, to make a new assessment of real estate in said town, for the year 1862.

(*See supplement to local laws.*)

CHAPTER 289.

[*Published April* 12, 1862.]

AN ACT to authorize the town clerk of the town of Wautoma, Waushara county, to make return of a special school district tax, as delinquent, to the treasurer of said county.

(*See supplement to local laws.*)

CHAPTER 290.

[*Published April* 12, 1862.]

AN ACT changing the time of holding the annual meeting in joint school district number one, in the city of Prescott and towns of Oak Grove and Clifton, in the county of Pierce.

(*See supplement to local laws.*)

CHAPTER 291.

[*Published April* 12, 1862.]

AN ACT to incorporate the Woodstock union school district, in the county of Richland.

(*See supplement to local laws.*)

CHAPTER 292.

[*Published April* 12, 1862.]

AN ACT to provide for the expenditure of the drainage fund in the town of Ahnepee, in Kewaunee county.

(*See supplement to local laws.*)

CHAPTER 293.

[*Published April* 12, 1862.]

AN ACT to amend chapter 225 of the general laws of 1860, entitled "an act to provide for the disposal and expenditure of the drainage fund moneys in Jefferson county."

(*See supplement to local laws.*)

CHAPTER 294.

[*Published April* 12, 1862.]

AN ACT to amend chapter 223 of the general laws of 1860, entitled "an act to authorize the towns, cities and villages of the county of Dodge, to retain license moneys in their town, city or village treasuries."

(*See supplement to local laws.*)

CHAPTER 295.

[*Published April* 12, 1862.]

AN ACT authorizing the towns, cities and villages of the county of Fond du Lac, to retain and dispose of certain license moneys.

(*See supplement to local laws.*)

CHAPTER 296.

[*Published April* 12, 1862.]

AN ACT directing the disposition of moneys received for license granted in the several towns in the county of Washington, in pursuance of chapter 35 of the revised statutes, entitled "of excise."

(*See supplement to local laws.*)

CHAPTER 297.

[*Published April* 12, 1862.]

AN ACT to legalize the official acts of Thomas Joyce, as justice of the peace in the town of Rockland, county of Brown.

(*See supplement to local laws.*)

CHAPTER 298.

[*Published April* 12, 1862.]

AN ACT to legalize the official acts of Eri D. Wilcox, as justice of the peace in the town of Exeter, and county of Green.

(*See supplement to local laws.*)

CHAPTER 299.

[*Published April* 12, 1862.]

AN ACT to legalize the official acts of Abijah W. Foster, as justice of the peace in the town of Rockland, county of Brown.

(*See supplement to local laws.*)

CHAPTER 300.

[*Published April* 12, 1862.]

AN ACT to amend an act entitled "an act to grant certain islands in the Wisconsin river to the Wood county bridge company," approved April 6, 1861.

(*See supplement to local laws.*)

CHAPTER 301.

[*Published April* 12, 1862.]

AN ACT for the relief of the Green county agricultural society.

(*See supplement to local laws.*

CHAPTER 302.

[*Published April* 12, 1862.]

AN ACT to authorize the county board of supervisors of Marathon county, to issue county orders for the payment of the salary of the county superintendent.

(*See supplement to local laws.*)

CHAPTER 303.

[*Published April* 12, 1862.]

AN ACT giving the board of supervisors of Grant county authority to pass an ordinance allowing horses, mules or cattle to run at large upon uninclosed lands in said county.

(*See supplement to local laws.*)

CHAPTER 304.

[*Published April* 14, 1862.]

AN ACT to authorize the city of Milwaukee to construct and maintain a bridge at the foot of Buffalo street.

(*See supplement to local laws.*)

CHAPTER 305.

[*Published April* 14, 1862.]

AN ACT to amend an act entitled "an act to amend an act to incorporate the city of Milwaukee, and the several acts amendatory thereof," approved February 20, A. D. 1852.

(*See supplement to local laws.*)

CHAPTER 306.

[*Published April* 14, 1862.]

AN ACT to authorize the common council of the city of Milwaukee to levy an additional amount of tax for the year 1862, to pay off certain indebtedness therein mentioned.

(*See supplement to local laws.*)

CHAPTER 307.

[*Published April* 14, 1862.]

AN ACT to authorize the common council of the city of Milwaukee to levy a tax on taxable property in the second and sixth wards of the city of Milwaukee, to pay principal and interest of bonds issued to David Knab, January 1, 1859.

(*See supplement to local laws.*)

CHAPTER 308.

[*Published April* 14, 1862.]

AN ACT to amend an act entitled "an act to consolidate and amend the acts to incorporate the city of Milwaukee, and the several acts amendatory thereof," approved February 20, 1852, and to enable the electors of the city of Milwaukee to revise, codify and amend thier [their] charter.

(*See supplement to local laws.*)

CHAPTER 309.

[*Published April* 14, 1862.]

AN ACT to further provide for the government of the police of the city of Milwaukee.

(*See supplement to local laws.*)

CHAPTER 310.

[*Published April* 14, 1862.]

AN ACT to amend chapter 172 of the private and local laws of 1859, entitled "an act to amend an act entitled 'an act to incorporate the city of Milwaukee, and the several acts amendatory thereof,' approved February 20, 1852, and to provide for a change in the election of street commissioners, the improvement and repair of streets, and the assessment of real and personal property in the city of Milwaukee."

(*See supplement to local laws.*)

CHAPTER 311.

[*Published April* 14, 1862.]

AN ACT to fix the salary of the clerk of the circuit and county courts for the county of Milwaukee.

(*See supplement to local laws.*)

CHAPTER 312.

[*Published April* 14, 1862.]

AN ACT to authorize the county board of supervisors of Milwaukee county to levy a tax to cover all necessary expences [expenses] of printing for the use of the schools of said county, and apportion the same among the several towns of said county of Milwaukee.

(*See supplement to local laws.*)

CHAPTER 313.

[*Published April* 14, 1862.]

AN ACT to amend an act entitled "an act to consolidate and amend the act to incorporate the city of Watertown, and the several acts amendatory thereof," approved March the 29th, 1856, and section five of chapter 124 of the private and local laws of 1853, [entitled] "an act supplemental to an act entitled 'an act to incorporate the city of Watertown.'"

(*See supplement to local laws.*)

CHAPTER 314.

[*Published April* 14, 1862.]

AN ACT to amend chapter 72 of the private and local laws of the year 1858, entitled "an act to incorporate the city of Ripon."

(*See supplement to local laws.*)

CHAPTER 315.

[*Published April* 14, 1862.]

AN ACT to legalize the survey of the village of Marquette.

(*See supplement to local laws.*)

CHAPTER 316.

[*Published April* 14, 1862.]

AN ACT to amend chapter 123 of the private and local [general] laws of 1862, entitled "an act to provide for keeping in repair the streets, alleys and bridges of the city of Oshkosh."

(*See supplement to local laws.*)

CHAPTER 317.

[*Published April* 14, 1862.]

AN ACT to amend an act entitled "an act to amend chapter 344 of the private and local laws of (*A. D.*) 1856, entitled 'an act to incorporate the village of Delevan.'"

(*See supplement to local laws.*)

CHAPTER 318.

[*Published April* 15, 1862.]

AN ACT to repeal section 37 of chapter 98 of the private and local [general] laws of 1861, entitled "an act to amend and consolidate an act entitled 'an act to incorporate the city of Racine, in the county of Racine,' approved August 8th, 1848, and the several acts amendatory thereof."

(*See supplement to local laws.*)

CHAPTER 319.

[*Published April* 15, 1862.]

AN ACT to limit the powers of the common council of the city of Hudson.

(*See supplement to local laws.*)

CHAPTER 320.

[*Published April* 15, 1862.]

AN ACT to repeal chapter 264 of the private and local laws of 1857, entitled "an act to incorporate the village of Waupaca," [Waupacca.]

(*See supplement to local laws.*)

CHAPTER 321.

[*Published April* 15, 1862.]

AN ACT to repeal chapter 487 of the private and local laws of 1856, entitled "an act to incorporate the village of Weyauwega."

(*See supplement to local laws.*)

CHAPTER 322.

[*Published April* 15, 1862.]

AN ACT to authorize the city of Madison to compromise its bonded indebtedness.

(*See supplement to local laws.*)

CHAPTER 323.

[*Published April* 15, 1862.]

AN ACT to amend section seventeen of chapter 203 of the private and local laws of the year 1857, entitled "an act to amend the city charter of the city of Fond du Lac," approved March 3, 1857.

(*See supplement to local laws.*)

CHAPTER 324.

[*Published April* 15, 1862.]

AN ACT to enable the city of Fond du Lac to settle with its bondholders.

(*See supplement to local laws.*)

CHAPTER 325.

[*Published April* 15, 1862.]

AN ACT to declare the streets in the village of Union Grove, in the county of Racine, to be public highways.

(*See supplement to local laws.*)

CHAPTER 326.

[*Published April* 15, 1862.]

AN ACT to declare part of the road of the Racine and Rock river plankroad, a public highway.

(*See supplement to local laws.*)

CHAPTER 327.

[*Published April* 15, 1862.]

AN ACT in relation to highways in Ozaukee county.

(*See supplement to local laws.*)

CHAPTER 328.

[*Published April* 15, 1862.]

AN ACT to authorize the towns of Waupaca, [Waupacca,] Dayton and Caledonia to aid in the construction of the Oshkosh and Wausau railroad.

(*See supplement to local laws.*)

the expenses of this arbitration, a sum not exceeding one thousand dollars, or so much thereof as may be necessary to pay the expenses of proceedings under this act. The board shall draw its warrant on the treasurer as the money may be needed, and apply the same in paying the per diem and mileage of the arbitrators, and witnesses' fees on behalf of the state. It shall be the duty of the attorney general to defend the state before said arbitrators. The arbitrators shall be allowed such sum per diem and mileage, as the board may deem just. If the governor shall deem it expedient, he may employ other counsel to assist the attorney general in defending the state before said arbitrators, and he is in that case authorized to agree upon the compensation to be paid to such counsel.

Board to draw warrants.

Attorney general to defend state, &c.

When rights of company to cease

SECTION 6. On the payment of money, if any, awarded to said company, the property, rights and franchises of said company shall be vested in the state, and said company shall cease to exist.

When money awarded to be paid.

SECTION 7. The money awarded, whether by the commissioners or arbitrators, shall in no event be payable, or be paid to said company, until the state shall receive from the United States the moneys commonly called the "five per cent. fund," now withheld by the United States. When the state shall obtain said fund from the United States, the secretary of state shall draw his warrant on the state treasurer in favor of the company for the money so awarded, and the same shall be paid by the treasurer on presentment, out of said five per cent. fund.

Approved April 8, 1862.

CHAPTER 332.

[*Published June* 5, 1862.]

AN ACT relating to the redemption of lands which were sold for unpaid taxes levied in the year 1858.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Time extended to Dec. 1.

SECTION 1. The time for the redemption of lands sold at any time in the year 1859, for the unpaid taxes levied in the year 1858, is hereby extended to the first day of December next.

Publication of list.

SECTION 2. If the clerk of the county board of supervisors of any county has caused to be published, in the manner required by existing laws, a list of unredeemed lands which were sold in the year 1859, no further publication shall be necessary in consequence of the preceding section; and in all cases where any such clerk has not caused to be published as provided by law, any list of unredeemed lands sold at any time in said year 1859, for taxes of the preceding year, such clerk shall cause such list to be published for twelve successive weeks prior to the first day of November next, with a notice of the time of redemption, which list and notice shall be published in the newspaper in which such lists and notices are now required to be published. *Add. See p 214. post*

Act to be published and copies sent to clerks.

SECTION 3. This act shall be published and take effect immediately; and the secretary of state shall forthwith transmit printed copies thereof to the several clerks of the county boards of supervisors.

Approved June 5, 1862.

CHAPTER 333.

[*Published June* 9, 1862.]

AN ACT to amend an act entitled "an act to incorporate the city of Milwaukee, and the several acts amendatory thereof," approved February 20, 1852.

(*See supplement to local laws.*)

CHAPTER 337.

[*Published June* 11, 1862.]

AN ACT to vacate certain streets in "Clark's addition," in the eighth ward of the city of Milwaukee.

(*See supplement to local laws.*)

CHAPTER 338.

[*Published June* 16, 1862.]

AN ACT confirming certain lands in Brown county to the Chicago and Northwestern railway company.

(*See supplement to local laws.*)

CHAPTER 339.

[*Published June* 17, 1862.]

AN ACT relating to the sale of lands for the unpaid taxes of the year 1861.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Sale to commence Sept. 2.

SECTION 1. The county treasurer of each county, and the city treasurer of each city who is authorized by the charter of such city to sell lands for unpaid taxes, shall, on the first Tuesday of September next, proceed to sell all lands in his county or city, on which the taxes for the year one thousand eight hundred and sixty-one shall at that time remain unpaid, and shall give notice of such such sale and conduct the same in all respects as is now required by law: *provided*, that in all cases where a statement of the lands on which the taxes, interest and charges were unpaid for the year 1861, with a notice of sale of such lands, was by order

Validity of statements published in March, April and May.

of any such treasurer published in any of the months of March, April and May last, in the manner required by law, no further or other statement of such lands shall be published; but in such case such treasurer shall cause a notice to be published in the paper in which such statement was published, to the effect that he will, on the first Tuesday of September next, proceed to sell all lands in such statement contained, on which the taxes, interest and charges shall at that time remain unpaid. Such notice shall definitely refer to such statement, and shall mention the paper in which and the time when the same was published, and shall be published four weeks prior to the day of sale, and proof of the publication thereof shall be filed in the proper office.

Proof of publication.

SECTION 2. In all cases where the statement mentioned in the preceding section, was published during any of months of March, April and May last, and proof of such publication has not been filed in the proper office, such proof shall be made and filed with the proof of the publication of the notice in the preceding section required.

Repeal.

SECTION 3. So much of section one of chapter two hundred and seventy-six of the general laws of the year 1862, as is comprised in the following words, to wit: "exclusive of interest and advertising fees," is hereby repealed.

Act to be published and copies sent to treasurers.

SECTION 4. This act shall be published and shall take effect immediately; and the secretary of state shall transmit printed copies thereof to the several county treasurers.

Approved June 16, 1862.

CHAPTER 340.

[*Published June* 17, 1862.]

AN ACT to legalize the sale of lands for unpaid taxes, and the advertisement thereof, in the city of Portage, of Columbia county.

(*See supplement to local laws.*)

CHAPTER 341.

[*Published June* 17, 1862.]

AN ACT to repeal chapter 321 of the general laws of 1862, entitled "an act to repeal chapter 437 of the private and local laws of 1856, entitled 'an act to itcorporate the village of Weyauwega,'" and to revive said chapter 437 of the private and local laws of 1856.

(*See supplement to local laws.*)

CHAPTER 342.

[*Published June* 17, 1862.]

AN ACT to amend chapter 332 of the general laws of the year 1862, entitled "an act relating to the redemption of lands which were sold for unpaid taxes levied in the year 1858."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Validity of lists that may already have been published.

SECTION 1. Section two of chapter three hundred and thirty-two of the general laws of the year eighteen hundred and sixty-two, entitled "an act relating to the redemption of lands which were sold for unpaid taxes levied in the year 1858," is hereby amended by adding thereto the following words, to wit: "In all cases where, by the charter of any city, the city treasurer or other officer is authorized to sell the lands in such city for unpaid taxes, if such city treasurer or other proper officer has caused to be published, as required by law, a list of unredeemed lands in such city, which were sold in the year 1859 for unpaid taxes of the preceding year, no further publication of such list shall be necessary; and in all cases where such city treasurer or other proper officer has not caused such list to be published, he shall cause such list to be published in the manner hereinbefore provided for the publication of similar lists by the clerks of county boards of supervisors."

SECTION 2. This act shall be published and take effect immediately.

Approved June 14, 1862.

CHAPTER 343.

[*Published June* 17, 1862.]

AN ACT to appropriate the sum of six thousand dollars for the purchase of stationary [stationery] for the use of the state officers and the next legislature.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Appropriation. SECTION 1. The sum of six thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the purchase of stationary [stationery] for the use of the state officers and the legislature for the ensuing year. The said sum of six thousand dollars may be drawn from the treasury by the person who shall be appointed by the governor to purchase said stationary, [stationery,] after the said person shall have given bonds as required by chapter twenty-seven, section seven, of the revised statutes.

Approved June 16, 1862.

CHAPTER 344.

[*Published June* 17, 1862.]

AN ACT relating to the purchase and distribution of stationary [stationery.]

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amount limited. SECTION 1. The agent of the state to purchase stationary [stationery] for the use of the state offices and the legislature, shall not be authorized to purchase at the expense of the state a greater amount of stationary [stationery] than he is by law authorized to draw money from the state treasury to pay for.

Approved June 16, 1862.

CHAPTER 345.

[*Published June* 17, 1862.]

AN ACT to amend chapter 236 of the general laws of 1861, entitled "an act for the government and management of the state reform school," and to repeal chapter 189 of the revised statutes, entitled "of the house of refuge."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Vagrants, &c., between certain ages to be confined in state reform school.

SECTION 1. Section one of chapter 236 of the general laws of 1861, is hereby amended so as to read as follows: "The state reform school at Waukesha, in the county of Waukesha, shall be the place of confinement and instruction of all male children between the age [ages] of eight and fifteen years, and of all female children between the age [ages] of seven and fourteen years, who shall be legally committed to the state reform school as vagrants or on conviction for any criminal offense, by any court having competent authority to make said commitment."

Annual report of amount due from counties.

SECTION 2. The superintendent of the state reform school shall keep an accurate account of the amount due from each county for the support of persons therefrom, and shall annually, on or before the tenth of October, in each year, report to the secretary of state the amount which may then be due from each county for the year ending on the first day of October preceding, which report shall state the name of each person for whom such account was rendered, the number of weeks which such person has been in said school during said year, and the amount charged for each of said persons respectively; and such report shall be verified by the oath of said superintendent as to its correctness.

Amount to be added to state tax.

SECTION 3. The secretary of state shall add the amount due from any county in this state, for the support of such persons, to the state tax apportioned to said county, and such amount shall be collected and paid into the state treasury for the use of the state reform school.

Board of managers — per diem and mileage.

SECTION 4. The board of managers shall consist of five members, who shall be appointed by the governor, and hold their offices for three years; said board to be divided into three classes, and so divided that the term of one class shall expire each year, on the first Tuesday

of March; and shall receive for their compensation two dollars and fifty cents per day for every day actually employed, and ten cents per mile for every mile actually traveled, and shall verify their account by their oath or affirmation.

SECTION 5. Sections three, four, five and six, of chapter 236 of the general laws of 1861, and all acts or parts of acts inconsistent with the provisions of this act, are hereby repealed. Repeal.

SECTION 6. This act shall take effect and be in force from and after its passage.

Approved June 16, 1862.

CHAPTER 346.

[*Published June* 17, 1862.]

AN ACT to repeal certain sections in chapter 158 of the revised statutes, being an act entitled "of the writ of habeas corpus relative to fugitive slaves."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Sections 51, 53, 55, 56, 58, 59, 60 and 61, of chapter 158 of the revised statutes, being an act entitled "of the writ of habeas corpus relative to fugitive slaves," is [are] hereby repealed. Repeal.

Approved June 16, 1862.

CHAPTER 347.

[*Published June* 18, 1862.]

AN ACT to amend an act entitled "an act to make street commissioners' certificates in the city of Milwaukee, a lien upon lots or lands against which they may issue," approved March 29, 1856.

(See supplement to local laws.)

CHAPTER 348.

[*Published June* 18, 1862.]

AN ACT to repeal chapter 436 of the private and local laws of 1856 entitled "an act to amend the charter of the Milwaukee and Lisbon plankroad company," approved March 31, 1856.

(*See supplement to local laws.*)

CHAPTER 349.

[*Published June* 18, 1862.]

AN ACT to amend chapter 90 of the general laws of 1862, entitled "an act to provide for the reassessment and collection of taxes in the city of Beloit, for the years 1856, 1857, 1858 and 1859."

(*See supplement to local laws.*)

CHAPTER 350.

[*Published June* 19, 1862.]

AN ACT to amend an act entitled "an act to incorporate the village of Manitowoc," approved March 6th, 1851.

(*See supplement to local laws.*)

CHAPTER 351.

[*Published June* 20, 1862.]

AN ACT to incorporate the Berlin and Grand Rapids railroad company.

(*See supplement to local laws.*)

CHAPTER 352.

[*Published June* 21, 1862.]

AN ACT to authorize the village of Two Rivers, in the county of Manitowoc, to construct and maintain bridges across the East and West Twin rivers, within the corporate limits of said village.

(*See supplement to local laws.*)

CHAPTER 353.

[*Published June* 21, 1862.]

AN ACT to amend an act entitled "an act to incorporate the city of Milwaukee, and the several acts amendatory thereof," approved February 20, 1852.

(*See supplement to local laws.*)

CHAPTER 354.

See Last act in this volume

[*Published June* 21, 1862.]

AN ACT to amend chapter 203 of the general laws of 1862, entitled "an act to amend chapter 71 of the revised statutes, entitled 'of the incorporation of banking institutions, [associations.' "]

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Surplus derived from sale of securities to be paid to legal representative of the bank.

SECTION 1. Chapter 203 of the general laws of 1862, entitled "an act to amend chapter 71 of the revised statutes, entitled 'of the incorporation of banking institutions, [associations,' "] is hereby amended by adding after section one of said act, the following: "Whenever the securities deposited with the state treasurer to secure the redemption of the circulating notes of any bank, shall be sold in pursuance of sections forty-one and forty-two of said chapter 71 [of the] revised statutes, if such securities shall be or have been sold for a sum sufficient

to redeem its outstanding notes at par, then the bank comptroller shall, after the expiration of three years from the time of sale of such securities, pay over to the legal representative of any such bank, upon application therefor, the surplus derived from the sale of said securities, if any there be remaining in the custody of the comptroller."

How amendment to be published.

SECTION 2. The secretary of state shall cause the said chapter 203 of the general laws of 1862, to be so published as to incorporate the amendment contained in section one of this act, in its proper connection in said chapter.

Approved June 17, 1862.

[Chapter 203 having been printed in this volume prior to the passage of the above act, said chapter, as amended, is printed as the concluding act in this volume.]

CHAPTER 355.

[*Published June* 21, 1862.]

AN ACT to authorize the governor to draw money under a certain act therein named.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Expenses of visiting state institutions, &c.

SECTION 1. The governor is hereby authorized to draw from the state treasurer the sum of seven hundred and fifty dollars, under the provisions of an act entitled "an act to authorize the governor of the state to visit the several state institutions, and the public institutions of other states," approved May 17, 1858.

SECTION 2. There is hereby appropriated out of any money in the treasury not otherwise appropriated, the sum of seven hundred and fifty dollars, to carry out the provisions of section one of this act.

Approved June 17, 1862.

CHAPTER 356.

[*Published June* 21, 1862.]

AN ACT to provide for levying a state tax for the year 1862.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There shall be levied and collected for the year 1862, a state tax of one hundred and fifty thousand dollars, for the estimated expenses of 1863, to be apportioned among and assessed upon the several counties of this state, as provided by law; and such tax shall be levied upon the taxable property of this state, real and personal, and collected and paid into the treasury, as provided by law. $150,000.

SECTION 2. The secretary of state shall apportion said tax among the several counties of the state, as provided by chapter 386 of the general laws of 1860, on or before the second Monday of October next, and certify the same to the clerk of the board of supervisors of each of the several counties, as provided by law. To be apportioned by secretary of state.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved June 17, 1862.

CHAPTER 357.

[*Published June* 21, 1862.]

AN ACT to amend chapter 98 of the private and local laws of 1858, entitled "an act to consolidate and amend the act to incorporate the city of Portage, and the several acts amendatory thereof."

(*See supplement to local laws.*)

CHAPTER 358.

[*Published June* 21, 1862.]

AN ACT to amend section 94 of chapter 13 of the revised statutes, [entitled] "of counties and county officers."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Court commissioners — their term of office and powers.

SECTION 1. Section 94 of chapter 13 of the revised statutes, entitled "of counties and county officers," is hereby amended so as to read as follows: "Section 94. The circuit courts and circuit judges in vacation, in each of the judicial circuits of this state, may appoint in each of the organized counties in their respective circuits, three court commissioners; and each court commissioner so appointed shall hold his office two years from the time of his appointment, unless removed by such court or judge. Each court commissioner, upon being appointed as aforesaid, shall take and subscribe the oath of office prescribed by law for other county officers, and such appointment and official oath shall be attached together and filed in the office of the clerk of the circuit court of the county in which such commissioner resides, before such commissioner shall exercise any of the powers or duties of his said office. Every such court commissioner shall have power to issue subpœnas for witnesses to come before him, and to issue attachments and other necessary process to compel their attendance in case of disobedience thereof; to administer oaths and take depositions and testimony in civil actions, where the same is authorized by law, or provided for by rule or order of the circuit court, and to return and report such depositions and testimony to the court having jurisdiction of such actions; and he may take and certify acknowledgments of deeds and other instruments in writing. He may state accounts between parties, referred to him by order of the circuit court; may order and determine upon the amount and sufficiency of bail, allow writs of habeas corpus, *ne exeat*, and grant orders of injunction. He shall have and may exercise within his county the powers and authority of a circuit judge at chambers, in any civil action in the circuit court, (except as otherwise provided by law,) and may do such other things as are required

by the circuit court, or as are necessary and proper for the full exercise of the powers hereby granted; but his orders may be reviewed by the circuit court, as now provided by law and by the existing practice." Orders may be reviewed.

Approved June 17, 1862.

CHAPTER 359.

[*Published June* 28, 1862.]

AN ACT to extend the time which the county board of supervisors of Dane county are authorized to employ in the transaction of county business.

(*See supplement to local laws.*)

CHAPTER 360.

[*Published June* 28, 1862.]

AN ACT to legalize the publication of the delinquent list of lands sold for taxes, September 15, 1859, in the county of Douglass.

(*See supplement to local laws.*)

CHAPTER 361.

[*Published June* 21, 1862.]

AN ACT authorizing the treasurer to pay for transporting troops.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The state treasurer is hereby authorized and directed to receive in payment of the licenses due from any railroad company in this state, any legally authorized warrants drawn in favor of the company Certain warrants drawn by Q. M. general receivable for railroad licenses.

offering the same, by the quartermaster general, in payment for the transportation of troops and munitions of war.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved June 17, 1862.

CHAPTER 862.

[*Published June* 20, 1862.]

AN ACT relating to the duties of assessors and other officers, for the year 1862.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Completion of assessment rolls.

SECTION 1. The several assessors shall, between the first Monday of July and the first Monday of September next, make out assessment rolls and perform their other duties for the year one thousand eight hundred and sixty-two, in the manner required by law, and have the same completed on or before the said first Monday of September next.

Equalization.

SECTION 2. The town and city boards of equalization shall meet on the first Monday of September next, and perform their duties as required by law.

Abstracts.

SECTION 3. Each clerk of the county board of supervisors shall, on or before the fourth Monday of September next, make out and transmit to the secretary of state an abstract of the real and personal property in his county, in the manner required by law.

Apportionment.

SECTION 4. The secretary of state shall, immediately after receiving the abstracts in the preceding section mentioned, proceed to apportion the state taxes for the present year among the several counties, in the manner now required by law, and shall transmit a certified copy of such apportionment to the clerk of the county board of supervisors of each county.

Basis.

SECTION 5. In case the abstract in section three mentioned, shall not be received from any county or counties by the second Monday of October next, by the sec-

retary of state, he shall take the valuation of property as returned to his office in the year 1861, from such county or counties, as the basis upon which to apportion the state taxes to such county or counties for the present year.

SECTION 5, [6.] Sections two and three of chapter two hundred and seventy-six of the general laws of the year one thousand eight hundred and sixty-two, are hereby repealed. Repeal.

SECTION 6, [7.] The secretary of state shall forthwith transmit printed copies of this act to the several clerks of the county boards of supervisors. Copies to be sent to clerks.

SECTION 7, [8.] This act shall be published and take effect immediately after its passage.

Approved June 17, 1862.

CHAPTER 363.

[*Published June* 23, 1862.]

AN ACT to authorize the city council of the city of Racine to construct a bridge across Root river.

(*See supplement to local laws.*)

CHAPTER 364.

[*Published June* 18, 1862.]

AN ACT to discontinue the active services of certain military officers, and to provide for the execution of certain duties by the secretary of state and state treasurer.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. As soon as, in the judgment of the governor, the public interest will permit, he may, by a public order made for that purpose, cause to be discontinued the active services and pay of the paymaster general general, quartermaster general and commissary Governor may discontinue active duties of paymaster general, quartermaster general and commissary general.

CHAPTER 367.

[*Published June* 28, 1862.]

AN ACT to change the time of holding terms of the circuit court in Marquette county, and in relation to special terms in the counties of Dodge, Green Lake and Washington, in the third judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

General terms.

SECTION 1. The general terms of the circuit court for the county of Marquette, shall hereafter be held on the fourth Monday of August and the fourth Monday in February, in each year.

Repeal of special term in Washington county, &c.

SECTION 2. So much of sections one and two of chapter eight of the general laws of 1860, as requires the judge to hold special terms of the circuit court in the county of Washington, in July of each year, and section two of chapter 106 of the general laws of 1860, are hereby repealed.

SECTION 3. This act shall take effect from and after its passage and publication, and repeal all acts inconsistent with this act.

Approved June 17, 1862.

CHAPTER 368.

[*Published June* 28, 1862.]

AN ACT relating to special terms of the circuit court in the sixth and fifth judicial circuit, [circuits,] and to change the time for holding the general terms in Marquette county, in the third judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Regular terms in Crawford, La Crosse, Monroe and Jackson counties.

SECTION 1. That the regular terms of the circuit court held in the counties of Crawford, La Crosse, Monroe and Jackson, in the sixth judicial circuit, shall be special terms for the whole of said circuit, for the purpose of hearing and determining all questions of law,

motions and demurrers, in the same manner and with the same force and effect as if the court were sitting in the county where such business originated.

Special term in La Crosse.

SECTION 2. There shall be held in the county of La Crosse, in the said sixth circuit, by the judge thereof, on the second Tuesday of July, in each year hereafter, a special term of the said circuit court, for the purpose of hearing and determining questions of law, motions and demurrers from any county of the said circuit, with like force and effect as provided in section one of this act.

Ibid. Iowa.

SECTION 3. There shall be held by the judge of the circuit court of the fifth judicial circuit, one special term of said court in the county of Iowa, for the hearing and trial of actions not requiring the intervention of a jury, for the trial of issues of law, for the hearing and determination of motions, and for transacting any and all other business that may be done at a regular term of said court, except the trial of issues of fact by a jury; said special term to commence on the fourth Monday in June, 1862, and of each and every year thereafter.

No other notice necessary

SECTION 4. No notice of the holding of the special term provided for in the first section of this chapter, shall be required other than the passage and publication of this act.

General terms in Marquette.

SECTION 5. Section 1 of chapter 172 of the general laws of 1862, is hereby amended by striking out [the word] "third" where it occurs in the third line of said section, and inserting in lieu thereof the word "fourth," so that it will read: "The general terms of the circuit court of the county of Marquette, shall hereafter be held on the fourth Monday in August and the fourth Monday in February, in each year."

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved June 17, 1862.

CHAPTER 369.

[*Published June* 23, 1862.]

AN ACT to prescribe the times for holding courts in the seventh judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

General terms.

SECTION 1. That from and after the first day of July, A. D. 1862, the general terms of the circuit court in and for the several counties of the seventh judicial circuit in this state, shall be held in each year as follows: In the county of Marathon, on the second Monday in March and last Monday in August; in the county of Portage, on the fourth Monday in March and second Monday in September; in the county of Waushara, on the second Monday in April and the fourth Monday in September; in the county of Waupacca, on the third Monday in April and the first Monday of October; in the county of Adams, on the fourth Monday in April and the third Monday in October; in the county of Juneau, on the first Monday in May and fourth Monday in October; in the county of Wood, on the fourth Monday in May and the second Monday in November.

Marathon.

Portage.

Waushara.

Waupacca.

Adams.

Juneau.

Wood.

Return of process, &c.

SECTION 2. All writs, summons, process, indictments, recognizances and other proceedings, made returnable to the terms now fixed by law, shall be deemed and considered returnable to the terms as the same are prescribed by this act; and all adjournments, continuances, motions and notices of proceedings in the circuit courts of said counties, made or taken to any term of a date subsequent to the date when this act shall take effect, shall be held and taken for the time herein provided for the holding of the terms of said courts.

Repeal.

SECTION 3. All parts of any act in conflict with the provisions of this act, are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved June 17, 1862.

CHAPTER 370.

[*Published June* 23, 1862.]

AN ACT for the relief of Mrs. Cordelia Harvey, widow of the late governor of this state, Louis P. Harvey.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby appropriated to Mrs. Cordelia Harvey, widow of the late governor of this state, Louis P. Harvey, out of any money in the treasury not otherwise appropriated, a sum of money which, including two quarters' salary that may be drawn from the treasury by the legal representatives of the late governor, shall make twenty-five hundred dollars, being the full amount of salary as governor for the full term for which he was elected. Appropriation.

Approved June 17, 1862.

CHAPTER 371.

[*Published June* 18, 1862.]

AN ACT authorizing the governor to take care of the sick and wounded soldiers of the Wisconsin volunteers, and appropriating money out of the treasury for that purpose.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby set apart and appropriated out of any money in the state treasury not otherwise appropriated, the sum of twenty thousand dollars, to be paid out and expended upon the order of the governor of the state, for the liquidation of the claims that have already accrued and have not been paid by the state, and also all such claims as shall hereafter accrue by authority of the governor, in the necessary care of the sick and wounded soldiers of the Wisconsin volunteers, and for carrying such sick and wounded soldiers into this state, when the same shall be proper and necessary; and the state treasurer is hereby au- Appropriation of $20,0000 for care of sick and wounded volunteers.

Treasurer to pay on orders of the governor.

thorized and required to pay, upon the order of the governor of the state, out of any money in the treasury not otherwise appropriated, the sum of twenty thousand dollars aforesaid, or so much thereof as shall be so ordered by the governor for the purposes aforesaid, which order or orders of the governor shall be sufficient vouchers for the payment of the said sum or so much thereof as shall be ordered to be paid out of the treasury as aforesaid, to be charged over to the war fund, and repaid to the treasury from the war fund.

Authority to governor.

SECTION 2. The governor of the state is hereby authorized to take such measures as he shall deem proper and necessary to care for the sick and wounded soldiers of the Wisconsin volunteers now in or hereafter to be in the service of the state or of the United States government, and for carrying such sick and wounded volunteers into this state when the same shall be proper and necessary; and he is hereby authorized to draw his order or orders upon the state treasurer for so much money, not exceeding the sum of twenty thousand dollars in all, as shall be actually necessary to pay any expenses accruing by reason thereof, or which have heretofore been incurred on the part of the state therefor.

Report

SECTION 3. The governor is hereby required to make out and report to the legislature, at its next session, the amounts so expended by him, and fully in what manner such money has been expended.

Approved June 17, 1862.

CHAPTER 372.

[*Published June* 23, 1862.]

AN ACT to provide for the payment of the chaplains of the present legislature.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby appropriated out of any money in the treasury not otherwise appropriated, a

sufficient sum to pay each of the clergymen officiating as chaplain at the present session of the legislature, twenty-five dollars.

To be drawn on certificates of chief clerks.

SECTION 2. The chief clerks of the senate and assembly shall deliver to each of said clergymen a certificate of such service, and such certificate shall be sufficient authority for the payment of such amount by the state treasurer.

SECTION 3. This act shall take effect and be in force from and after its passage.

Approved June 17, 1862.

CHAPTER 373.

[*Published June* 23, 1862.]

AN ACT to amend section 29 of chapter 6 of the revised statutes, entitled "of public printing, and of the publication and distribution of statutes and other public documents."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When general laws must be printed, &c.

SECTION 1. Section twenty-nine of chapter six of the revised statutes, is hereby amended so that the same shall read as follows, to wit: "The general laws of each session shall be printed and delivered to the secretary of state within sixty days after the final adjournment of the session of the legislature at which the same were enacted; and whenever there is or may be an extra session, the laws passed at such extra session shall be printed and bound as distinct and separate volumes, and shall be completed and delivered within thirty days after the adjournment of the same; and for each day's delay in the delivery of said laws, or any of them, after the time fixed for the delivery thereof, the said printer shall forfeit ten dollars per day, to be deducted from his bill, in the manner provided by section twenty-one of this chapter."

Laws passed at extra session, to be printed separately.

Approved June 17, 1862.

CHAPTER 374.

[*Published June* 21, 1862.]

AN ACT to further explain and extend the benefits of chapter 8 of the laws of the extra session of 1861, entitled "an act to provide for the aid of volunteers in the service of the United States or of this state," approved May 25th, 1861, and chapter 112 of [the] session of 1862, approved March 21st, 1862.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Berdan's sharpshooters, Von Deutsch's cavalry and 20th regiment.

SECTION 1. The benefits of said chapter 8 of the laws of the extra session of 1861, as explained and amended by chapter 112 of the laws of the session of 1862, is [are] hereby extended to Co. G, Berdan's sharpshooters, the military body known as Von Deutsch's cavalry, and the 20th regiment of infantry now in process of formation in this state: *provided*, that the commanding officers of said companies of sharpshooters, (*and*) cavalry [and] regiment, shall make the same report as required by chapter 112 aforesaid, and in all other particulars fulfill the provisions of the acts to which this is amendatory: *provided, however*, that this nor either of the aforesaid acts shall be so construed as to extend these benefits to the family of any person who at the time of enlistment was not an actual resident of the state of Wisconsin.

Commanding officers to make reports.

Benefits confined to residents of this state.

Governor to notify war department of neglect of commanding officers to report.

SECTION 2. When the commanding officer of any regiment of infantry or cavalry, or battery of artillery, or company aforesaid, shall refuse or neglect to make the returns required by the provisions of this act or the acts to which this is an amendment, then the governor shall be required to notify the war department of such neglect or refusal, and request the said department to require the said commanding officers to make the requisite reports.

When certificate may be made by justice of adjoining town.

SECTION 3. In case there shall be no justice of the peace residing in the town in which the soldier shall reside, as required and provided in section 3 of said chapter 8, any justice of the peace residing in any adjoining city or town, within this state, shall be authorized to make the certificate mentioned in said section 3.

SECTION 4. This act shall take effect from and after its passage.

Approved June 17, 1862.

CHAPTER 375.

[*Published June* 23, 1862.]

AN ACT to appropriate the sum of money therein named, for the purpose of erecting a suitable tombstone over the grave of the late governor, Louis P. Harvey.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. That there is hereby appropriated to the governor, out of any money in the treasury not otherwise appropriated, a sum not exceeding three hundred dollars, for the enclosing, by an iron railing, [of] the lot containing the grave of the late governor of this state, Louis P. Harvey. $300 appropriated.

Approved June 17, 1862.

CHAPTER 376.

[*Published June* 24, 1862.]

AN ACT to legalize the official acts of Oscar Gray, as justice of the peace of the county of Brown.

(*See supplement to local laws.*)

CHAPTER 377.

[*Published June* 24, 1862.]

AN ACT to amend section one of chapter 200 of the general laws of 1862, entitled "an act to authorize the city council of the city of Green Bay to subscribe, in behalf of said city, fifteen thousand dollars to the capital stock of the Chicago and Northwestern railway company, and to provide for levying and collecting a tax to pay for the same."

(*See supplement to local laws.*)

CHAPTER 378.

[*Published June* 21, 1862.]

AN ACT to amend the charter of the city of Madison.

(*See supplement to local laws.*)

CHAPTER 379.

[*Published June* 25, 1862.]

AN ACT to authorize the quartermaster general to audit bills for subsisting and transporting volunteers of the Wisconsin cavalry regiments.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authority to quartermaster general.

SECTION 1. The quartermaster general is hereby authorized and required to audit all bills properly made out and certified, for subsisting and transporting to the place of rendezvous of their respective regiments, the volunteers of the Wisconsin cavalry regiments, and to draw warrants therefor upon the paymaster general, in the same manner that subsistence and transportation bills of volunteers of the Wisconsin infantry regiments are by law audited and warrants drawn therefor.

Transfer.

SECTION 2. If the duties of the quartermaster general shall be transferred to any other officer, then such

other officer shall perform the duties required by this act.

SECTION 3. This act shall take effect and be in force from and after its passage.

Approved June 17, 1862.

CHAPTER 380.

[*Published June* 24, 1862.]

AN ACT for the flowing of lands in Juneau county, for the purpose of cutivating [cultivating] cranberries.

(*See supplement to local laws.*)

CHAPTER 381.

[*Published June* 24, 1862.]

AN ACT for the relief of the Monroe county agricultural society.

(*See supplement to local laws.*)

CHAPTER 382.

[*Published June* 24, 1862.]

AN ACT to authorize the secretary of state to audit a certain account.

(*See supplement to local laws.*)

CHAPTER 383.

[*Published June* 24, 1862.]

AN ACT to change the time of holding the annual meeting of school district No. 1, in the town of Palmyra.

(*See supplement to local laws.*)

CHAPTER 384.

[*Published June* 21, 1862.]

AN ACT to legalize the official acts of Edward Hosse, as justice of the peace of the town of Greenfield, in the county of Milwaukee.

(*See supplement to local laws.*)

CHAPTER 385.

[*Published June* 20, 1862.]

AN ACT to change the time of holding the terms of the circuit court in the county of La Fayette.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

General terms.

SECTION 1. That hereafter the general terms of the circuit court in and for the county of La Fayette, in the fifth judicial circuit of this state, shall be held as follows: On the fourth Monday of May and on the second Monday of November, of each year.

Return of process, &c.

SECTION 2. All writs, summons, process, indictments, recognizances and other proceedings made returnable to the terms of the circuit court in and for said county, now fixed by law, shall be returnable to the terms herein provided; and all adjournments, appearances, continuances, motions and notices of any proceedings in the circuit court of said county, made or taken to any term of a date subsequent to the date when this act shall take effect, shall be held and taken for the

time herein provided for holding the terms of said court.

SECTION 3. All acts and parts of acts conflicting with the provisions of this act, are hereby repealed. Repeal.

SECTION 4. This act, immediately after its passage, shall be published in a newspaper printed in said county of La Fayette; and it is hereby made the duty of the secretary of state to immediately furnish a copy of this act to the publisher of a paper in said county, for publication. Act to be published in a paper in La Fayette county.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved June 17, 1862.

CHAPTER 386.

[*Published June* 25, 1862.]

AN ACT to amend chapter 35 of the revised statutes, entitled "of excise."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter thirty-five of the revised statutes is hereby amended by striking from section one of said chapter, the words "and during the space of twelve months from and after the date thereof," in the 13th and 14th lines of said section, and insert [inserting] in lieu thereof the words "the residue of the term of office of the board which shall grant such license." Section two of said chapter is also amended by striking out the words "the space of twelve months from the date thereof," in the 10th and 11th lines thereof, and insert [inserting] in lieu thereof the words "the residue of the term of office of the board which shall grant such license," so that said sections one and two of said chapter 35 of the revised statutes, will read as follows: Sec. 1 amended. Sec. 2 amended.

"SECTION 1. The board of supervisors of the several towns, and the aldermen of any incorporated city, and the board of trustees of any incorporated village within this state, may, at any regular or special meet- License to sell liquor to be drunk on premises.

and the ballots so cast shall be returned and canvassed in the same manner as votes cast for county officers, and said canvass, when made, shall be recorded by the clerk of the board of county supervisors of said Dallas county, in his office, and a certified copy thereof shall forthwith be transmitted by said clerk to the secretary of state, to be filed in his office.

Notice of submission.

SECTION 4. The sheriff of said Dallas county shall give notice of the submission of the question of the division of said county, in the same manner as notices of general elections are given, which notice shall be made part of the notice of the general election to be held in November of the present year.

Approved June 17, 1862.

CHAPTER 388.

[*Published June* 25, 1862.]

AN ACT to provide for the protection of lumber and logs in the fourth district of this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

File and record of marks.

SECTION 1. All persons who shall hereafter cut and manufacture logs and lumber in the fourth district of this state, shall, within thirty days thereafter, file an accurate description of their several marks upon said logs and lumber, in the office of the surveyor general of said district; and it is hereby made the duty of the surveyor general of said district to record said marks, the description of which shall be filed in his office as aforesaid, for which he shall be entitled to receive as fees, the sum of twenty-five cents for every mark so recorded.

Penalty for not filing mark.

SECTION 2. Any person who shall hereafter cut and manufacture logs and lumber in the said fourth district, and shall neglect or refuse to comply with the requirements of this act in relation to the filing of the descriptions of said marks, as set forth in the preceding section, is hereby declared to be guilty of a misdemeanor, and upon conviction thereof shall be punished by a

fine of not less than twenty-five dollars, nor more than one hundred dollars, of which offense justices of the peace shall have concurrent jurisdiction with the circuit court.

Scaling of logs and lumber.

SECTION 3. It is hereby made the duty of the surveyor general of said district, to enter upon and scale all logs and lumber cut in said district; and when the said logs, lumber and marks shall have been so surveyed, the owner or owners of the same shall pay, upon demand therefor, as the fees of said surveyor general, the sum now provided by statute therefor.

Repeal.

SECTION 4. All statutes or parts of statutes inconsistent with the provisions of this act, are hereby re-repealed.

SECTION 5. This act shall take effect and be in force immediately after the passage thereof.

Approved June 17, 1862.

CHAPTER 389.

[*Published June* 25, 1862.]

AN ACT to authorize the city of Berlin to grant relief to Warren Jones, and to authorize the board of supervisors of Waushara county to grant relief to Asa B. Swain.

(*See supplement to local laws.*)

CHAPTER 390.

[*Published June* 25, 1862.]

AN ACT to amend chapter twenty-seven of the revised statutes, entitled "of the state superintendent of public property, and the purchase and distribution of stationary [stationery] for the use of the state."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Stationery to be purchased by superintendent of public property.

SECTION 1. Chapter 27 of the revised statutes, entitled "of the state superintendent of public property,

and the purchase and distribution of stationary [stationery] for the use of the state," is hereby amended by striking out the whole of section five of said chapter, and inserting the following in lieu thereof: "The superintendent of public property is hereby constituted the agent of the state to purchase all stationery for the use of the state, at a compensation not exceeding two hundred dollars per annum, which agent shall let the contract every year for furnishing the said stationery, to the lowest binder, as provided in section twenty-five of article four of the constitution; and the said agent, so appointed, shall report to the legislature during the first week of each annual session, the amount of stationery purchased by him during the next preceding year, up to the day of making such report; of whom all such stationery has been purchased; the amount of cash paid on such stationery, if any; the amount purchased on credit, if any; the amount of indebtedness against the state for stationery, if any, and to whom such indebtedness is due."

Compensation.

To make report.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved June 17, 1862.

CHAPTER 391.

[*Published June* 25, 1862.]

AN ACT to enable the city of Sheboygan to readjust and arrange its indebtedness.

(*See supplement to local laws.*)

CHAPTER 392.

[*Published June* 19, 1862.]

AN ACT to provide for the reletting [of] the contract for public printing for the year 1862.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authority to commissioners.

SECTION 1. The commissioners of public printing, as provided in chapter 315 of the laws of 1860, may relet the contract for public printing, from the date of the passage of this act until the thirty-first day of December, 1862, being the unexpired term of the contract with E. A. Calkins & Co., at such notice as they may deem proper for the public interest, without advertising for six weeks, as now provided by law.

Auditing of bills.

SECTION 2. The secretary of state shall audit all bills for public printing from the time of the refusal of the late contractors to do the state printing, until the reletting of the contract, as provided in section one of the [this] act, in accordance with the temporary contract made by the commissioners of public printing.

Appropriation.

SECTION 3. There is hereby appropriated out of any money in the treasury not otherwise appropriated, a sum sufficient to pay the warrants as provided in section 2 of this act.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved June 17, 1862.

CHAPTER 393.

[*Published June* 25, 1862.]

AN ACT to repeal chapter 237 of the general laws of the year 1862, entitled "an act in relation to costs in certain cases."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Repeal.

SECTION 1. Chapter two hundred and thirty-seven of the general laws of the year eighteen hundred and

sixty-two, entitled "an act in relation to costs in certain cases," is hereby repealed.

Revived. SECTION 2. All acts or parts of acts repealed by said chapter 237, are hereby revived.

Approved June 17, 1862.

CHAPTER 394.

[*Published June* 25, 1862.]

AN ACT to amend an act entitled "an act to incorporate the borough of Fort Howard," and the acts amendatory thereto, approved October 13, 1856.

(*See supplement to local laws.*)

CHAPTER 395.

[*Published June* 25, 1862.]

AN ACT to amend an act entitled "an act to consolidate and amend the act to incorporate the city of Milwaukee, and the several acts amendatory thereof," [approved February 20, 1862.]

(*See supplement to local laws.*)

CHAPTER 396.

[*Published June* 28, 1862.]

AN ACT to revise, alter, amend and consolidate "an act to incorporate the city of Sheboygan," approved April 19th, 1853, and the several acts amendatory thereof.

(*See supplement to local laws.*)

CHAPTER 397.

[*Published June* 26, 1862.]

AN ACT to appropriate to Andrew Henry the sum of money therein named.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The sum of eighty-one dollars is hereby appropriated to Andrew Henry, of Buffalo county, payable from the school fund, being the amount of depreciation on loan obtained from [the] school fund in April, A. D. 1861; and the school land commissioners are hereby directed to pay the same by endorsement on the note of said Andrew Henry, (which is secured by mortgage,) the sum herein named, and charge the same to the school fund. $81.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved June 18, 1862.

CHAPTER 398.

amended 1866 Ch 113,

[*Published June* 26, 1862.]

AN ACT to authorize the county supervisors to construct drains in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. That the county board of supervisors of any county, shall have power, at any regular session, whenever, in their opinion, the same is demanded by or will be conductive [conducive] to the public health, convenience or welfare, to cause to be established, located and constructed, as hereinafter provided, any ditch, drain or water-course within such county. Boards of supervisors may cause to be constructed ditches, &c.

repealed 1878

SECTION 2. That, before the county board of supervisors of any county shall take any steps toward locating or establishing any ditch, drain or water-course, Application therefor.

there shall be filed with the clerk of the board of supervisors, a petition from one or more persons owning lands adjacent to the line of such proposed ditch, drain or water-course, setting forth the necessity of the same, with a description of its proposed starting point, route and terminus, together with the names of all persons liable to be benefited or damaged thereby, so far as known to the petitioner; and shall, at the same time, file a bond, with good and sufficient sureties, to the acceptance of the clerk of the board of supervisors, conditioned to pay all expenses incurred in case the county board of supervisors shall refuse to grant the prayer of the petition; and it shall be the duty of the clerk of the board of supervisors immediately thereafter, to place a correct copy of said petition in the hands of the county surveyor, or a competent engineer, who shall thereupon, taking with him the necessary assistance, proceed to make an accurate survey of the route of the proposed ditch, drain or water-course; and on the completion thereof, shall return a plot or plots and profile of the same to the said clerk of the board of supervisors, and shall also set forth in his return, a description of the proposed route, its availability and necessity, with a description of each separate tract of land through which the same is proposed to be located, how it will be effected [affected] thereby, and its situation and level as compared with that of the adjoining lands, together with such other facts as may be deemed material. It shall be the duty of the clerk of the board of county supervisors, immediately on said report being filed, to cause notice, in writing, to be given to the owner or one of the owners of each tract of land along the route of such proposed ditch, drain or water-course, of the pendency and prayer of said petition, and of the time of the session of the county board of supervisors at which the same will be heard, which notice shall be served at least ten days prior to said session, and an affidavit of said service filed with the clerk of the board of supervisors; and in case any such owner is not a resident of the county, or should any party or parties in interest die during the pendency of said proceeding, such death shall not work an abatement of such proceeding, but the commissioners, on being notified thereof, shall make

Bond for expenses.

Survey and report.

Notice to owners of lands.

Notice to non-residents, &c.

such order as they may deem proper for giving notice to the party or parties succeeding to the right of such deceased party or parties; and notice of the pendency and prayer of said petition, and the time of hearing the same, shall be given to such owner or persons, by publication for three consecutive weeks, in some paper published, or of general circulation, in said county.

Damages and release therefor.

SECTION 3. That any person or persons claiming compensation for land appropriated for the purpose of constructing any ditch, drain or water-course under the provisions of this act, shall make his, her or their application in writing therefor, to the county board of supervisors, on or before the third day of the session at which the petition has been set for a hearing; and if any application or applications for compensation as aforesaid shall have been made, the amount of said compensation may be determined by argreement between the supervisors and such owner or owners. Every such agreement shall be reduced to writing, and be signed by such owner and the county supervisors, and filed in the office of the clerk of the board of county supervisors; and every such agreement and every release of damages given, shall forever preclude such owner and all persons claiming under him, from all further claim for damages. If there be any owner or owners of land through which said drain, ditch or water-course shall be located, who shall not apply for, or who shall not agree with the supervisors as to the compensation they shall receive for damages sustained by them, by reason of the location of such drain, ditch or water-course, as provided in this act, said supervisors shall proceed to assess the damages which such owner or owners will sustain by reason of locating said ditch, drain or water-course as aforesaid, and make an award in writing, specifying therein the sum awarded by them to each of said owners for their respective damages. Said award shall be signed by said supervisors, and be filed in the office of the clerk of the board of supervisors, with the return of the surveyor or engineers; and further proceedings thereafter by the supervisors, shall be adjourned till the next session of the county board.

When supervisors may award damages.

Appeal.

SECTION 4. If any applicant for compensation as aforesaid, shall not be satisfied with the sum awarded for damages by such supervisors, he may, within sixty

days after the filing of the award of damages in the office of the clerk of the board of supervisors, as provided in the preceding section, apply to the county judge of the county for a jury to assess and appraise such damages. Such application shall be in writing, describing the premises, and any number of persons claiming damages on account of said ditch, drain or water-course, may join in such application. The party appealing shall serve on the clerk of the board of supervisors of the county, at least six days before the time fixed for making such application, a notice in writing, specifying the time when such application will be made.

When notice to be served.

Bond for costs.

SECTION 5. Any person applying for a jury, as mentioned in the preceding section, shall, by himself or agent, execute to the supervisors of the county, and file with the county judge, a bond with one or more sureties, to be approved by said judge, conditioned to pay all costs arising from such appeal and apportionment of damages, provided such jury shall not award a larger amount of damages than was awarded by the board of county supervisors. Upon any such application, the county judge shall make a list of fifteen disinterested freeholders of the county, not of kin to the owner or occupant of the said lands. Each party may object to five on such list, and if none of the supervisors shall be present, the county judge shall strike off the five names for the supervisors, and shall thereupon issue a precept to the sheriff, directing him to summon the five persons named in such list not objected to by the parties, to meet at a time and place to be specified in such precept, to appraise the damage sustained by the owner or owners appealing from the assessment of the county board as aforesaid, by the location of the said ditch, drain or water-course. At the time and place appointed for the appearance of such jury, they shall be sworn by the county judge, justly and impartially to make such appraisal, and shall proceed to view the premises where said ditch, drain or water-course is proposed to be located, and hear the statements and proof of parties, if they deem it necessary; and they shall make their return of appraisal to the county judge, which shall be certified by such judge and filed with the clerk of the board of supervisors, with the award

Jury.

Return of jury.

of the board of supervisors as aforesaid; and if the amount of appraisal of such jury shall exceed the amount awarded by the supervisors, the costs and expenses shall be paid by the county; but if the jury shall not award greater damages than were awarded by the supervisors, the costs and expenses shall be paid by the appellant; and the said county board of supervisors shall, at their next regular session after the appraisement by the jury is rendered as aforesaid, proceed to locate and establish such ditch, drain or water-course, as herein provided. The costs and compensation allowed shall be paid out of the county treasury, from the general fund, or remain deposited therein, subject to the order of such claimant or claimants.

Costs.

Location of ditch, &c.

SECTION 6. That said county board of supervisors, whenever they shall have established any such ditch, drain or water-course, shall divide the same into suitable sections, not less in number than the number of owners of land through which the same may be located, and shall also prescribe the time within which the work upon such sections shall be completed.

Division of ditch, &c., into sections.

SECTION 7. That the clerk of the county board of supervisors shall cause notice to be given of the time and place of letting out, of the kind of work to be done upon said sections, and the time fixed by the county board of supervisors for its completion, by publication for thirty days in some newspaper printed, or of general circulation, in said county, and shall let the work in said sections respectively to the lowest bidder therefor; and the person or persons taking such work at such letting, shall, on the completion thereof to the satisfaction of the county board of supervisors, be paid for such work out of the county treasury, upon the order of the said board of supervisors, properly attested: *provided*, that if any person or persons to whom any portion of said work shall be let as aforesaid, shall fail to perform said work, the same shall be relet by the clerk of the board of supervisors, in the manner hereinbefore provided.

Notice for proposals—work to be let to the lowest bidder.

Payment for work.

SECTION 8. That the clerk of the board of supervisors shall keep a full and complete record of all proceedings had in each case under this act.

Record.

SECTION 9. That the clerk of the board of supervisors, and surveyor and engineer, shall be allowed such

Fees, costs, &c.

fees for services under this act, as the county board of supervisors shall in each case deem reasonable and allow; and all other fees and costs accruing under this act, shall be the same as provided by law for like services in other cases; and all costs, expenses, costs of construction, fees and compensation for property appropriated, which shall accrue and be assessed and be determined under this act, shall be paid out of the county treasury, out of the general fund, on the order of the said board of supervisors, properly attested: *provided*, that no part of the same, except the compensation for property appropriated, shall be paid out of the county treasury, till the same shall have been levied and collected, as provided in the next section of this act.

Apportionment of costs, &c.

SECTION 10. That the county board of supervisors shall make an equitable apportionment of the costs, expenses, costs of construction, fees and compensation for property appropriated, which shall accrue and be assessed and be determined under this act, among the owners of the land benefited by the location and construction of such ditch, drain or water-course, in proportion to the benefit to each of them, through and along the lines or in the vicinity of whose lands the same may be located and constructed respectively; and the same shall be levied upon the lands of the owners so benefited, in said proportions and collected in the same manner that other taxes are levied and collected for county purposes.

Repairs.

SECTION 11. Whenever it may be necessary to repair such work, any one of the persons benefited by it may cause such repairs to be made, and may compel contributions from each person benefited by such repairs on any ditch, drain or water-course, on the basis of the apportionment of the costs of such ditch, drain or water-course by the county board of supervisors, to the actual necessary cost of such repairs.

Penalty for obstructing ditch, &c.

SECTION 12. Any person who may dam up, obstruct or in any way injure any ditch, drain or water-course, shall be liable to pay for the first act double the amount of damages occasioned thereby, and for any like act thereafter, treble the amount of damage done, to be collected by any of the parties owning the lands assessed for the construction of said ditch, drain or water-course.

SECTION 13. The county board of supervisors are hereby empowered to locate and consruct any ditch, drain or water-course through the land of other persons, for the purpose of draining any of the lands known as swamp and overflowed lands in their respective counties, and shall, if they shall deem it advisable, authorize and empower the drainage fund commissioners for the county to locate and construct any such ditch, drain or water-course, as aforesaid, through the lands of other persons, whenever he [they] may deem it expedient, in order to thoroughly drain any of said lands. Swamp and overflowed lands may be drained.

SECTION 14. The damages and costs incurred under the provisions of section 13 of this act, shall be paid out of the swamp land fund belonging to the county. How damages, &c., paid.

SECTION 15. This act shall be in force from and after its passage.

Approved June 18, 1862.

CHAPTER 399.

[*Published June* 26, 1862.]

AN ACT to amend and revise chapter 129 of the general laws of 1861, entitled "an act to amend chapter 13 of the revised statutes, entitled 'of counties and county officers.'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The county board of supervisors of each of the organized counties of this state, shall consist of three electors, one to be elected in and for each of the supervisor districts hereinafter mentioned, by the qualified voters of such district; but in those counties which contain three or more assembly districts, there shall be elected one supervisor in and for each assembly district, by the qualified voters of such district; and in those counties where there are more than three and an even number of assembly districts, there shall be elected one additional supervisor for the county at large, by the qualified voters of such county. Such supervisors shall be elected biennially, on the Tuesday succeeding Number of members of county board. Amended 1863 p 74 To be elected biennially.

the first Monday in November, in each alternate year, next preceding the commencement of their term, and shall hold their office for the term of two years, and until their successors are elected and qualified. The votes for such supervisors shall be returned and canvassed in the same manner as the votes for county officers are required to be returned and canvassed. The supervisors who were elected pursuant to chapter 129 of the general laws of 1861, and who qualified according to law, shall hold their offices, respectively, until the first Monday in January, A. D. 1864, and until their successors are elected and qualified. The first election for district and county supervisors, under this act, shall be held on the Tuesday succeeding the first Monday in November, A. D. 1863.

Terms of office of present supervisors.

First election.

Division of counties into supervisor districts.

SECTION 2. In each of the counties in this state in which there shall be less than three assembly districts, the county board of supervisors shall, by an order to be recorded at length by the clerk of such board, and published in one or more newspapers printed in said county, if there be any, divide such county into three supervisor districts; but no two of such districts shall be within the same town, city or village, nor shall any part of such districts be within the same town, city or village, if there shall be more than one organized town in such county; and the supervisors hereafter to be elected, may alter or change the boundaries of such districts, but such alterations shall not take effect within six months from the time of making such alterations.

Board to be body corporate—powers.

SECTION 3. The board of supervisors to be elected as provided in this act, shall be a body corporate and politic, by and under the name and style of the county board of supervisors of (naming the county,) and as such shall possess and exercise all and singular the powers and perform all the duties devolved by law upon the board of supervisors in each county respectively.

Election of chairman.

SECTION 4. The board of supervisors of each county shall, at each annual meeting, choose by ballot one of their number chairman of the board for the ensuing year; and in case of his absence at any meeting of the board, they may appoint one of their number as chairman *pro tem.*, to hold until the adjournment, or the chairman shall be present at their meeting. In case of a vacancy in the office of chairman, the board shall

Vacancy.

have the power to fill such vacancy for the unexpired term. A majority of such board shall constitute a quorum for the transaction of business.

Election to fill vacancy.

SECTION 5. Should there be a vacancy in the board of county supervisors previously to the first day of October, in any year, the clerk of the board shall immediately notify the sheriff of the county, whose duty it shall be to order an election to be held, on the Tuesday succeeding the first Monday in November next ensuing, for the purpose of filling such vacancy, thirty days' previous notice being given of such election, by publishing the same in each newspaper published in the district or county, if there be any, and by posting up a notice thereof in some public place in each town in the county, or supervisor district, as the case may be; and the person elected at such election shall hold his office for the unexpired term of such vacancy. But such vacancy may be filled by the appointment by the governor, of some suitable elector of the proper district or county, as the case may be, to hold his office until the first Monday of January next after such appointment, and until his successor is elected and qualified, as hereinbefore mentioned.

Vacancy may be filled by governor.

First election of clerks.

SECTION 6. The clerks of the boards of supervisors in office at the time of the taking effect of this act, shall continue in office until the first Monday of January, 1863, and until their successors shall be elected and qualified; and the first election for clerk of the board of county supervisors, shall be on the Tuesday succeeding the first Monday in November, A. D. 1862.

Annual meeting.

SECTION 7. The boards of supervisors elected in pursuance of this act, shall meet annually, on the Tuesday succeeding the general election in each year, at the county seat, if there be one, in their respective counties, for the purpose of transacting such business as may be required; and the said boards are hereby authorized to hold extra sessions at the seat of justice in case the business of the county requires it, which shall be called in the manner provided in section forty-eight of chapter thirteen of the revised statutes. The said supervisors shall each receive two dollars per day for each and every day they [he] shall be employed on the session of the board, and six cents per mile for going to and returning from the place of holding such ses-

Extra sessions.

Per diem.

Limit. sion. But no supervisor shall be allowed to draw pay for more than twenty-five days' attendance on the county board, in one year.

Oath. SECTION 8. Each person elected or appointed as a supervisor shall, within twenty days after receiving a certificate of his election or appointment, take and subscribe an oath or affirmation to support the constitution of the United States and of the state of Wisconsin, and faithfully and impartially discharge the duties of his office as such supervisor, which oath or affirmation shall be filed in the office of the clerk of the circuit court; and the same being certified by such officer upon the back of the certificate, shall be sufficient to authorize such supervisor to take his seat with and act as a member of the board, during the time for which he was elected or appointed.

Old business. SECTION 9. The boards of supervisors elected under this act, shall proceed with and determine all matters and things pending before their predecessors at the time of entering upon the discharge of their duties, in the same manner and with like effect as if commenced before them.

Repeal. SECTION 10. Sections twenty-five, thirty-five and forty-nine of chapter thirteen, and section sixty-three of chapter fifteen of the revised statutes, are hereby repealed; and section ninety-four of said chapter fifteen, is hereby amended so as to read as follows:

Amendment. "Section 94. The chairman of the board of town supervisors of each town shall, on or before the day fixed by law for the annual meeting of the county board of supervisors, file one of each such duplicate statements with the clerk of the said board, who shall carefully

Board of equalization. preserve the same. The county board of equalization of each of the several counties in this state, for equalizing assessments of real property, as now required by law, shall hereafter consist of the chairman of supervisors of each of the several towns, the president of each incorporated village, and one alderman from each ward in any city in each of such counties."

Amendment. SECTION 11. Section fifty-six of chapter seven of the revised statutes, is hereby amended [so as] to read

Statement and list. as follows: "Section 56. One of said statements shall forthwith be delivered to the town clerk, to be filed and preserved by him, or if made in any ward of a city,

then to the clerk of such city, for the like purpose; and the other, with one of the poll-lists, shall be carefully enclosed, sealed up and directed to the clerk of the board of supervisors of the proper county, and delivered to the chairman of the supervisors of the town, or such person as may be performing the duties of such chairman; and such officer to whom such statement and poll-list shall be so delivered, shall, within seven days after the election, deliver the same, with the seals and envelops unbroken, to such clerk, and shall receive for such service six cents per mile for going to and returning from the office of said clerk of the board of supervisors."

Members of municipal corporations not to be members of county boards.

SECTION 12. So much of any law of this state as authorizes the election by any city, village or other municipal corporation, of one or more members of the board of county supervisors, shall have no force or effect whatever from and after the first day of January, 1862, anything contained in any charter of any such city, village or other municipal corporation, to the contrary notwithstanding.

Repeal.

SECTION 13. This act shall take effect from and after its passage and publication; and all acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

Approved June 18, 1862.

CHAPTER 400.

[*Published June* 26, 1862.]

AN ACT to legalize the official acts of Geo. M. Bartholomew, a justice of the peace.

(*See supplement to local laws.*)

CHAPTER 401.

[*Published June 26, 1862.*]

AN ACT to legalize the official acts of Ambrose Spencer, as justice of the peace in the town of Magnolia, and county of Rock.

(*See supplement to local laws.*)

CHAPTER 402.

[*Published June 26, 1862.*]

AN ACT to incorporate the German Methodist aid society.

(*See supplement to local laws.*)

CHAPTER 403.

[*Published June 26, 1862.*]

AN ACT to amend section 28 of chapter 264 of the general laws of 1860, entitled "an act to amend chapter one hundred and thirty-nine of the revised statutes, [entitled] 'of appeals, writs of error, and proceedings therein [thereon.]'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Court below may proceed on other matters, &c.

SECTION 1. Section twenty-eight of chapter two hundred and sixty-four of the acts of a general nature of the year eighteen hundred and sixty, is hereby so amended as to read as follows: "Whenever an appeal from a judgment shall be perfected, and undertakings executed, as provided in this act, it shall stay all further proceedings in the court below upon the judgment appealed from, or upon the matter embraced therein, but the court below may proceed upon any other matter included in the action, and not affected by the judgment appealed from."

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved June 19, 1862.

1866. Ch 93 CHAPTER 404. Repealed 1866. Ch. 110,

[*Published June* 26, 1862.]

AN ACT to regulate the license and keeping of dogs, and to repeal chapter 175 of the general laws of 1860, entitled "an act to regulate the license and keeping of dogs."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Assessor to make list of persons owning dogs.

SECTION 1. It shall be the duty of the assessor of each town, city or incorporated village, on or before the first Monday in July, or at the time he is required by law to make the assessment of such town, city or incorporated village, to annually make out and return into the office of the clerk of such town, city or village, a list of the names of each and every person owning or keeping any dog or dogs in the town, city or incorporated village of which he is assessor, together with the number and sex of such dogs owned or kept by such person, set opposite their respective names, which list shall be separate from his assessment roll, and shall be headed "list of persons owning or keeping dogs liable to be licensed;" and for such services properly rendered, he shall receive the sum of three cents for each person so returned by him on said list, to be paid out of the fund arising from the licensing of such dogs, when collected as hereinafter provided. add 1865 p 579.

Fee therefor.

Tax on male dog $1, emale $2.

SECTION 2. It shall be the duty of the clerk of each town, city or incorporated village, to make out a fair copy of such list as returned by the assessor, and to place a sum equal to one dollar for every male dog, and two dollars for every female dog, in a separate column prepared for that purpose, opposite the respective names of the persons owning or keeping such dogs, and shall deliver the same to the treasurer of his town, city or incorporated village, on or before the second Monday of December, in each year.

amended 1865 p 579

Treasurer to collect tax.

SECTION 3. It shall be the duty of the treasurer of each town, city or incorporated village, on the receipt of such list, and at the time he is authorized by law to collect the county tax, to personally demand of each person the sum set opposite such person's name in such list; and when such sum is received by the treasurer, he shall give his receipt for the same, signed officially, and stating that such money is received as license money for a dog or dogs, stating the number and sex owned or kept by such person and charged to such person on the license list.

Account to be kept—fee for collecting.

SECTION 4. The treasurer shall keep an accurate and separate account of all sums received and paid out under the various provisions of this act, which account shall always be open to the inspection of any voter of the place; and he shall retain for his services five per centum of the whole amount of such license money received by him.

Proceedings against owner, if tax be not paid.

SECTION 5. In case any person shall, for the space of twenty days after being demanded, refuse or neglect to pay the license imposed on him by reason of owning or keeping any dog or dogs, the treasurer of such town, city or village shall make and file with some justice of the peace of his county, an affidavit, stating that there is a license against such person; that he, the said treasurer, has demanded payment thereof, and is unable to collect the same. Such justice of the peace shall thereupon issue a summons directed to such person, commanding him to appear forthwith before him, the said justice, to answer under oath, and show cause why he does not pay said license. Such summons may be served by the town treasurer, or any constable in said county, by reading the same to such person or in his hearing. Upon its appearing by the affidavit of the officer or person serving such summons, that the same was duly served on the person to whom it was directed, and that he has failed or neglected to appear before said justice of the peace, for the space of twenty-four hours after the service of the summons, the said justice of the peace shall issue a warrant directed to the sheriff or any constable of the county, commanding them [him] to forthwith arrest and bring such person before him, the said justice.

Ibid.

SECTION 6. The justice before whom such person shall appear or is brought, shall cause him to be ex-

amined on oath, and any witness that may be produced by him or the treasurer, as to the fact whether the person so arrested owned or kept any dog or dogs liable to be licensed at the time the license list was made by the assessor, and as to the ability of the person so arrested to pay such license; and if he shall refuse to answer all questions put to him, touching his ability to pay such license, or if it shall appear to the satisfaction of the justice, from such examination, that he had a dog or dogs subject to license at the time the license list was made by the assessor, and that he has money or property, real or personal, of any description, which is not exempt from sale for taxes, sufficient to pay such license, or such portion thereof as such justice shall determine the person so arrested ought to pay, the justice shall make an order requiring him to pay such license forthwith, with costs; and if he shall neglect or refuse to pay such license and costs, as required by such order, no property belonging to him shall be exempt from seizure and sale for the payment of such license; and the justice shall thereupon issue his order to the treasurer, commanding him to levy the same by distress and sale of the goods and chattels of such persons, wherever the same may be found within his town, city or village, and if the property distrained shall be sold for more than the amount of the license and all costs, the surplus shall be returned to the owner of such property. But if it shall appear from such examination, that he has not sufficient money or property to pay such license, or that he did not own or keep any dog or dogs liable to be licensed at the time the license list was made by the assessor, he shall be forthwith discharged.

When dogs may be killed.

SECTION 7. Whenever it shall appear from examination, as provided in section five of this act, that such person has not sufficient money or property to pay such license, then it shall be the duty of the treasurer or any constable or police officer, and lawful for any person, to kill or cause such dogs to be destroyed; and any person who shall kill or destroy any such dog shall, upon proof thereof, receive fifty cents out of the license fund, for each dog destroyed by him.

Statement of unpaid license money.

SECTION 8. If any license money shall remain unpaid on the first Monday of February, or at the end of sixty days from the time such treasurer received such

license list for collection, he shall make out and deliver to the clerk of such town, city or village, a statement in writing, containing the names of the persons and the amount of license remaining unpaid, and he shall make and subscribe an affidavit to such statement, before some justice of the peace or other person authorized to administer oaths, that the license mentioned in such statement remains unpaid, that he has complied with the requirements of the law, and that after diligent efforts he has been unable to collect the same. Add 1865 p 579.

Payment for sheep killed by dogs.

SECTION 9. The owner of any sheep or lambs suffering loss by reason of worrying, maiming or killing by dogs, may present within thirty days after such loss shall come to his knowledge, to the mayor or alderman [aldermen] of the city, the president or trustees of any incorporated village, or supervisors of the town, wherein the damage is done, proof thereof, verified by oath or affirmation; and thereupon the said officers shall draw an order in favor of the owner of said sheep or lambs, upon the treasurer of said town, city or incorporated village, for the amount of such loss. The treasurer shall register all such orders in full at the time of their presentation, and shall annually, on the first Tuesday in April, pay all such orders in full, if the gross amount received by said town, city or incorporated village, under the provisions of this act, up to such date, after deducting all sums previously paid out under such provisions, if [be] sufficient therefor; otherwise, the treasurer shall divide said amount, after deducting as aforesaid, *pro rata*, among said orders, and in full discharge thereof: *provided*, that all surplus license money, if any there should be, in the treasury of said town, city or incorporated village, after lying in said treasury six months, shall be paid into the fund for the support of schools in said town, city or village.

Amended 1865 p 520

Surplus money to be paid into school fund.

Penalty.

SECTION 10. Any officer of any town, city or incorporated village, who shall refuse or neglect to perform the duties imposed upon him by this act, shall be punished by fine not exceeding twenty dollars for every twenty-four hours which he shall so neglect or refuse, which shall be paid into the treasury of such town, city or incorporated village.

Collection of fines and forfeitures.

SECTION 11. All fines and forfeitures imposed as a penalty for the violation of any of the provisions of this act, or neglect of any duty imposed by the same,

shall be presented by complaint before a justice of the peace of the proper jurisdiction, and no mere technical objection to the complaint shall be alleged to defeat a prosecution so commenced; and prosecutions for fines and forfeitures, under this act, shall be in the name of the state of Wisconsin.

How actions to be prosecuted.

SECTION 12. In all cases under the provisions of this act, when any person or corporation shall be entitled to recover damages, the same shall be recovered in a civil action, prosecuted according to the laws of this state; and in cases where the action shall be prosecuted by a city, the action shall be prosecuted by the mayor or chief officer of such city as plaintiff; and when the action shall be prosecuted by an incorporated village, the action shall be in the name of the principal officer of said village as plaintiff; and when the action shall be prosecuted by a town, then the chairman of the board of supervisors shall prosecute the same. Add 1865 ch 520.

Repeal.

SECTION 13. Chapter 175 of the general laws of 1860, entitled "an act to regulate the license and keeping of dogs," and all other acts inconsistent with the provisions of this act, are hereby repealed: *provided*, that nothing in this act shall be so construed as to repeal chapter 48 of the revised statutes, and said chapter 48 is hereby declared to be and to remain in full force.

SECTION 14. This act shall take effect and be in force from and after its passage and publication.

Approved June 19, 1862.

[See note to chapter 354, page 220.]

CHAPTER 203.

[*Chapter* 203 *originally published April* 7, 1862; *as amended by chapter* 354, *published June* 30, 1862.]

AN ACT to amend chapter 71 of the revised statutes, entitled "of the incorporation of banking associations."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Rate of interest receivable by banks.

SECTION 1. No bank or banking association shall demand or receive a greater or higher rate of interest up-

on any note discounted by such bank or banking association, or for the loan or forbearance of any money, goods or things in action, than seven dollars upon one hundred dollars for one year, and after that rate for a greater or less sum, or for a longer or shorter time.

[As amended by chapter 354]

Whenever the securities deposited with the state treasurer to secure the redemption of the circulating notes of any bank, shall be sold in pursuance of sections forty-one and forty-two of said chapter 71 [of the] revised statutes, if such securities shall be or have been sold for a sum sufficient to redeem its outstanding notes at par, then the bank comptroller shall, after the expiration of three years from the time of sale of such securities, pay over to the legal representative of any such bank, upon application therefor, the surplus derived from the sale of said securities, if any there be remaining in the custody of the comptroller.

Sale of securities on failure of bank to pay notes — surplus to be paid over to representative of bank.

Question to be submitted to vote of the people.

SECTION 2. At the general election to be held on the Tuesday next succeeding the first Monday in November, A. D. 1862, at all the places of holding elections in this state for the election of officers required by law then to be elected, the question whether this act shall become a law and go into effect, or in any manner be in force, shall be submitted to the people; and if the same shall be approved by a majority of all the votes cast on the subject, it shall go into effect; otherwise, it shall not go into effect nor be in force.

Form of ballots, how canvassed, returned, &c.

SECTION 3. The votes cast on the subject specified in the last preceding section, shall be by separate ballot; and shall have written or printed, or partly written and partly printed, on each of them, the words "for amendment to the banking law," or "against amendment to banking law," which words shall indicate the vote for or against the approval of this act; and the ballots so cast shall be canvassed and returned in the same manner as the votes cast for state officers are required by law to be returned and canvassed; and the secretary of state shall, immediately on the completion of said canvass, publish a statement of the result thereof in the official state paper, and shall communicate the same to the next legislature at the commencement of the session; and he shall also deliver to the state treasurer a certified copy thereof, with a statement of the result of the canvass upon the subject, immediately after the completion of the canvass.

Statement to be published.

SECTION 4. This act shall take effect and be in force from and after the twentieth day of January, A. D. 1863. Take effect.

SECTION 5. All acts or parts of acts conflicting with or in any way contravening the provisions of this act, are hereby repealed. Repeal.

Chapter 203 approved April 4, 1862; chapter 354 approved June 17, 1862.

JOINT RESOLUTIONS.

SESSION OF 1862.

NUMBER I.

JOINT RESOLUTION of the senate and assembly of the state of Wisconsin, requesting senators and members of congress to vote for abolishing [the] franking privelege, [privilege.]

Resolved, by the senate, the assembly concurring, That our senators in congress be requested to vote and use all honorable means to secure the passage of a law abolishing the present franking system, [system,] and that our representatives in congress who voted for the abolition of the present franking system [system] are entitled to the thanks of the people of this state.

Approved January 30, 1862.

NUMBER II.

JOINT RESOLUTIONS relative to the resignation of Gen'l Sigel.

Resolved, by the assembly, the senate concurring, That the people of the state of Wisconsin entertain towards Brig'd-General Franz Sigel, feelings of most profound respect; and believing that his long experience in, and familiarity with, military affairs, his brilliant military career in his native country, and his prompt, noble and efficient labors in sustaining the cause of the union in the present

struggle, entitle him to the respect and confidence of the people of the whole country,

Resolved, That the president of the United States, if not incompatible with the public interests, be respectfully and earnestly requested to promote Gen'l Sigel to the rank of a major-general in the army of the United States. Such promotion would, in the judgment of this legislature, be but an act of simple justice to a brave and efficient officer, and would be hailed with joy, not only by his countrymen, but by the loyal people of the whole country.

Resolved, That the governor of this state be requested to forward copies of these resolutions to the president of the United States and secretary of war.

Approved January 30, 1862.

NUMBER III.

JOINT RESOLUTION of the senate and assembly of the state of Wisconsin, directing the governer [governor] to notify the secretary of the United States treasury, that Wisconsin assunes [assumes] her quota of the national tax.

Resolved, by the senate, the assembly concurring, That the governer [governor] is hereby authorized and directed to give notice to the secretary of the United States treasury, that the state of Wisconsin does assume her quota of the national tax, as provided by the act of congress approved Augst [August] 5th, 1861.

Approved February 1, 1862.

NUMBER IV.

JOINT RESOLUTIONS relative to relief for Ireland.

Resolved, by the assembly, the senate concurring, That, in view of the want and famine impending over Ireland, and of our sense of gratitude to her brave sons who, by thousands, are periling their lives on the battle-fields of liberty, in defense of our government and institutions, in this time of their trial, (*that*) our senators in congress be instructed, and our representatives be requested, to use all constitutional means in their power for the relief of that distressed land, by appropriate action.

Resolved, That his excellency, the governor, be requested to forward a copy of this resolution to our senators and representatives in congress, at his earliest convenience.

Approved February 11, 1862.

NUMBER V.

JOINT RESOLUTION requesting senators and representatives in congress to oppose any stamp tax on newspapers, or any interdiction of free exchanges.

Resolved, by the senate, the assembly concurring, That our senators and representatives in congress be respectfully requested to oppose the passage, by congress, of any act imposing a stamp tax on newspapers, or the interdiction of free exchanges.

Resolved, That a copy of this resolution be transmitted by the governor to each of our senators and representatives in congress.

Approved February 15, 1862.

NUMBER VI.

JOINT RESOLUTIONS relative to amending the constitution in regard to the governor's salary.

Resolved, by the senate, the assembly concurring, That the joint resolution agreed to by a majority of the members elected to the two houses composing the last preceeding [preceding] legislature, as appears by the yeas and nays taken thereon and entered on their journals respectively, entitled "joint resolution relative to amending the constitution in regard to the governor's salary," approved April 13, 1861, and which said resolution is in the words and figures following, to wit: "*Resolved, by the senate, the assembly concurring*, That section five of article five of the constitution, be amended so as to read as follows: 'Section 5. The governor shall receive, during his continuance in office, an annual compensation of two thousand five hundred dollars,'" be, and the same is, agreed to.

Resolved, That a joint committee of one from the senate and two from the assembly, be appointed, to report a bill to carry into effect the foregoing resolution, in accordance with the provisions of the constitution.

Approved February 17, 1862.

NUMBER VII.

JOINT RESOLUTION recommending the appointment of Colonel Frederick Salomon as brigadier-general in the expedition organizing in Kansas.

Resolved, by the assembly of the state of Wisconsin, the senate concurring, That the legislature of this state would respectfully recommend Colonel Frederick Salomon, of the 9th (German) regiment of Wisconsin volunteers, as a proper person to be appointed brigadier-general of volunteers in the expedition now being organized in Kansas, under the command of Major-General Hunter.

Resolved, further, That copies of these resolutions be immediately forwarded to the president of the United State, the secretary of war, and Major-General Hunter.

Approved February 20, 1862.

NUMBER VIII.

JOINT RESOLUTION recommending to the war department "Hartley's breech-loading cannon."

Resolved, by the assembly, the senate concurring, That the experiments here made in firing the "Hartley breech-loading cannon," have been eminently successful; and in view of the testimony adduced from military men [as] to the utility of the invention, that the same be, and is hereby recommended to the war department for such other or final tests as are, by the laws of the United States, authorized to be made, at the public expense, under the supervision of the ordnance bureau, in like cases.

Approved March 6, 1862.

NUMBER IX.

JOINT RESOLUTION relative to printing, and to authorize the secretary of state to audit certain accounts therefor.

Whereas, The adjournment of the legislature until the 3d of June, will prevent the state printer from completing a large amount of work incident to the session, until after the final adjournment, thereby causing him great inconvenience: therefore,

Resolved, by the senate, the assembly concurring, That the secretary of state be and he is hereby authorized and directed to compute the amount of paper, presswork, composition, &c., upon such unfinished work, and to audit the same so far as it is actually done, or may be done previous [previously] to said 3d day of June: *provided,* that on the final completion and delivery of such work, the amount so audited and allowed shall be deducted from [the] total cost of the same.

Approved April 7, 1862.

NUMBER X.

JOINT RESOLUTION for printing and distributing extra copies [of the] agricultural society's transactions in foreign countries.

Resolved, by the senate, the assembly concurring, That the state printer is hereby instructed to print, on extra book paper, and to fold, stitch and cover in pamphlet form, one thousand copies of the report of the Wisconsin state agricultural society on the industrial resources, condition of and progress of the state, together with the map prepared by the secretary of the society, for distribution in foreign countries: *provided,* that the entire cost of the one thousand copies shall not exceed the sum of seventy-five dollars; and that the governor is hereby instructed to forward the same to London, England, in care of J. W. Hoyt, commissioner from this state to the world's industrial exhibition, for distribution to the commissioners of other countries, as he may think best; and also one thousand additional copies, at a cost not exceeding fifty dollars, for the use of the legislature, five hundred for the senate, and five hundred for the assembly.

Approved April 7, 1862.

NUMBER XI.

JOINT RESOLUTION tendering to the president of the United States, approval for his course.

Resolved, by the assembly, the senate concurring, That we tender to the president of the United States our unqualified approval of

the manner in which he has administered the government from his inauguration to the present time, a period of difficulties, dangers and vast and delicate responsibilities, without a parallel in the history of the nation; and that as Wisconsin has given him her prompt support and her unlimited confidence in the past, so for the future, having undiminished faith in his ability, integrity and patriotism, we pledge him our continued co-operation, and that of our state, in all such measures as he shall deem just and proper for the accomplishment of the great undertaking of his administration, the restoration of the authority of the constitution and the supremacy of the laws of the United States, in every state and territory where they have been assailed or questioned.

Resolved, That the secretary of state be directed to transmit a copy of these resolutions to the president of the United States and to each of our senators and representatives in congress.

Approved April 5, 1862.

NUMBER XII.

JOINT RESOLUTIONS tendering the thanks of the people of this state to Captain Cannon.

Resolved, by the assembly, the senate concurring, That the thanks of the people of the state of Wisconsin are hereby tendered to post quartermaster Captain John R. Cannon, of Savannah, Tennessee, for his prompt action in attempts to recover the body of Governor Harvey; and

Resolved, further, That the secretary of state forward to Captain Cannon a copy of this resolution, tendering the thanks of a grateful state for his timely and efficient aid in recovering the body of our lamented governor.

Approved June 10, 1862.

NUMBER XIII.

JOINT RESOLUTION relative to the death of Governor L. P. Harvey.

Whereas, By the decrees of Divine Providence, his excellency, Louis P. Harvey, chief magistrate of this state, has been suddenly

taken from among us, in the midst of usefulness and in the prime of his manhood: therefore,

Resolved, by the senate, the assembly concurring, That by the death of Governor Harvey, the state has lost an honest, faithful and efficient public officer, a high-toned gentleman, a warm-hearted philanthropist, and a sincere friend.

Resolved, That we offer to the bereaved widow our tenderest sympathy in this great sorrow that has so suddenly fallen upon her, and commend her to that God who alone is able to give her consolation, and enable her in a becoming manner to submit to the inscrutable decree of the Almighty.

Resolved, That we tender the thanks of the people of this state to the Hon. Perry H. Smith, Capt. Wm. Walker of the *Lady Pike,* Capt. Fosdick of the 29th Ind. regiment, Mr. Singleton and Mr. Britt, for their disinterested kindness and liberality in restoring to us the body of the late governor of this state.

Resolved, That as members of the legislature of the state of Wisconsin, we will wear the usual badge of mourning during the present session, and that the flag of the union be draped in mourning and raised at half-mast upon the capitol, during the same period.

Resolved, That the governor be requested to forward to Mrs. Harvey, the Hon. P. H. Smith, Capt. Wm. Walker, Capt. Fosdick, Mr. Singleton and Mr. Britt, each a copy of these resolutions.

Approved June 13, 1862.

NUMBER XIV.

JOINT RESOLUTIONS in relation to [the] "agricultural college bill."

Whereas, It is proposed, in the present congress of the United States, to pass a so-called "agricultural college bill," by the terms of which said bill thirty thousand (30,000) acres of the unsold government lands are to be given to each senator and representative in congress, for the purpose of establishing agricultural colleges in each state of the union; *and whereas,* it is manifestly unjust to the western states, within whose borders nearly all the unsold government lands now lie, to take said lands, or any part thereof, to be appropriated to or held and controlled by corporations without the states in which such unsold lands may lie, and particularly to grant such lands to the old states of the union, that have already realized the full benefits of settlement on nearly if not on every quarter

section of land in their respective states; *and, further, whereas*, such bill, if passed, will take a large amount of the unsold government lands in Wisconsin from the operations of the homestead bill, and from entry and pre-emption: therefore,

Resolved, by the senate, the assembly concurring, That the people of the state of Wisconsin protest against the passage of any law by the congress of the U. S., which, in effect, takes from settlement and cultivation, by the people of the western states, the unsold government lands of the west, and more particularly the unsold government lands in the state of Wis.

2*d. Resolved*, That our senators and representatives in congress be instructed and requested to use all honorable means to defeat the passage of the so-called "agricultural college bill," or any bill to take the unsold government lands from market or settlement, as now provided by law.

3*d. Resolved*, That the governor be and he is hereby requested to forward a copy of these resolutions to each of our senators and representatives in congress, with all convenient speed.

Approved June 13, 1862.

MEMORIALS.

NUMBER I.

A MEMORIAL to congress for a post route by steamboat, from Detroit, Michigan, to Superior City, Wisconsin.

The memorial of the legislature of the state of Wisconsin, respectfully represents:

That the mails heretofore carried by steamboats from and to these ports and the intermediate offices, have been subject to so many delays, as greatly to discommode the business of the people residing on the lakes.

Your memorialists would, therefore, respectfully ask that the said mail route be established so as to accommodate these two and all intermediate ports, with a weekly mail, by steamboats, at the earliest practicable period.

Approved February 7, 1862.

NUMBER II.

MEMORIAL to the congress of the U. S. for the establishment of a port of entry at La Crosse, Wisconsin.

The memorial of the senate and assembly of the state of Wisconsin, respectfully represents:

That the increasing trade of the valley of the upper Mississippi and St. Peter's rivers, and the unprecedented settlement of the

country, even up to the boundaries of the British possessions, on the Red river of the North, thereby causing the trade of said possessions to flow south, as it formerly did east, to Montreal direct, and building up, as it were, an increasing and valuable trade from said possessions to our cities on the upper Mississippi river, imperatively demands [demand] the establishment of a port of entry at La Crosse, Wisconsin, the extreme north-western terminus of railroad communication on the Mississippi river.

Your memorialists would, therefore, respectfully pray the passage of an act at your present session, creating such port of entry at La Crosse, Wisconsin.

Approved February 7, 1862.

NUMBER III.

MEMORIAL to congress in relation to the establishment of a naval depot and national armory, in Wisconsin.

To the honorable the senate and house of representatives of the United States, in congress assembled.

The memorial of the legislature of the state of Wisconsin, respectfully represents:

That the great lakes through which runs the dividing line between the United States and Canada, are of great national interest. A few years ago, the borders of these inland seas were almost uninhabited by white men, and only a few bark canoes floated in their expanse of waters; now states, rich and populous, occupy the southern portion, and a commerce, not insignificant, compared with the entire external commerce of the nation, has grown up on these waters between different states, and between them and Canada; that these lakes, which a few years ago were looked upon only with wonder, as exceptions to the ordinary formations of nature, have now, whether considered as the nurseries of this commerce or as a most important boundary of the union, undefended against a possible enemy, become of great national importance; that Wisconsin is one of these new states, having almost her entire commerce through these inland seas, and as such, she asks that timely measures may be taken by congress for the protection of this commerce, and for the defense of these rich and populous districts; that if among other means, congress should deem that the

establishment of a naval depot and national armory, on the waters of these lakes or their tributaries, is expedient for national protection and defense, the legislature respectfully suggests, that for these national purposes, localities should be selected with sole and exclusive view to the ends to be accomplished; that with a sole and exclusive view to the selection of a locality best adapted for the purposes of a naval depot, the legislature recommend the city of Milwaukee, in this state, as such point, and in support of this recommendation, they submit the following facts to the consideration of congress:

Lake Michigan is the only one of the great lakes lying entirely within the United States.

Milwaukee has, by combining an entrance protected by the points forming the bay, a channel, straight and direct, and not disturbed by moving sands; full depth at the entrance and within, and a vast space inside, which, with the aid of dredging, could furnish basins or an inner harbor of over one hundred acres in area within a short distance of the entrance to the harbor. And this harbor alone, of all the harbors on the lake, is open the whole year; it is accessible not only late in the fall and early in the spring, but through the whole winter.

The land that the government would require is now worthless marsh, and the cost to the government would be little or nothing. The high lands of the bay and surrounding the city renders [render] it more easily fortified. The city is in the midst of a timbered country, and charcoal and ship timber are to be had at reasonable expense. It is a manufacturing city of 45,000 people, and would furnish the various artizans required, particularly in ship-building and iron work. In health, it equals or surpasses any northern city; and the numerous gardens in its vicinity, and the rich agricultural country which there has its market, furnishes [furnish] provisions of the best quality, at the cheapest rates.

By railroads now built and in operation, Milwaukee has easy railroad communication with all the principal cities in the union.

Your memorialists, believing that the interests of the federal government will be prompted thereby, respectfully ask that the proposed national armory may be located on some one of the rapids on the lower Fox river, in one or other of the counties of Brown, Outagamie or Winnebago.

1. Because there are now constructed across said rapids, permanent dams, with a fall in the aggregate of one hundred and seventy-five feet, over which run 600,000 cubic feet of water per minute, creating an available natural motive power, amply sufficient, and which, together with abundant lands for the erection of all suitable buildings, will be freely donated by [to] the government.

2. Because upon such lands are to be found abundant quarries of stone for lime, clay for brick and quarries of building stone already opened, the beauty and durability of which has [have] been already tested in the building of locks and other structures. Wood for fuel, and every variety of timber used in the erection of buildings or the manufacture of arms, is so abundant in the immediate vicinity as now to have but a nominal value. Labor and all articles of fuel are as cheap and plentiful [as] in any of the northern states, and more so than in many. Because these rapids are all upon the only direct line of steamboat navigation that connects the waters of the great lakes with the Mississippi river; a line of navigable waters, made so by the aid of a grant of land from congress, in daily use by steamers of 250 tons burthen, during the season of navigation. They have direct railroad connection with the whole railway system of the country.

3. Because there are large beds of iron ore within a few miles of them, while they have immediate railway communication with the iron ores now used in the state. They are in direct water communication with the iron and copper ores of Lake Superior, and the lead mines of Wisconsin and Illinois, and will soon, by means of a railroad already building, have direct railway connection with Lake Superior. They are at once nearer the great ore beds and the bread growing region of the north-west, than any other proposed location outside of the state of Wisconsin, and at the same time are in the midst of everything else needed for the purposes of such a manufactory.

And finally, because they are so far inland as (*to enjoy*) to be safe from any naval attack, while they enjoy the full benefits of water navigation.

Your memorialists therefore pray, that the proposed naval depot may be located as [at] the city of Milwaukee, and that the proposed national armory may be located at such point on the Fox river, in one or the other of the counties of Brown, Outagamie or Winnebago, as shall be deemed most eligible for that purpose.

Approved March 8, 1862.

NUMBER IV.

MEMORIAL to the congress of the United States, in relation to the military road to Lake Superior.

To the honorable the senate and house of representatives of the United States, in congress assembled:

The memorial of the legislature of the state of Wisconsin, respectfully represents:

That in the event of a foreign war, the mineral region of Lake Superior would be our only source of obtaining the copper necessary to increase our warlike and naval resources; that this region is not yet developed for agricultural purposes, and the entire population, numbering over fifteen thousand persons, is exclusively engaged in mining pursuits, and depends upon the populous agricultural and manufacturing portions of the country for food, sustenance and general supplies; that at present there is only one channel affording means of communication and transportation to and from that region, and this channel might be closed by placing obstructions in the St. Mary's river, or if a foreign enemy should erect a fort on one of the exposed points of said river, and thus our necessary supply of copper, and depriving the people of the mineral region of the provisions and food necessary to sustain life, and the entire population, if they would escape death by starvation, must leave the country as best they could, while the vast stores of mineral wealth and the extensive preparations and facilities for mining, would present a tempting prize to the enemy to cripple us by cutting off the only source from which copper could be obtained, and the mining enterprise would be abandoned, not to be resumed, perhaps, for many years; that the threatening aspect of our international affairs admonish us to make ourselves ready to repel foreign invasion at all times, and in view of the defenseless, exposed and isolated position of the mineral region, and also considering its great and general importance, we deem it unsafe and injudicious to rely upon the present means of communication and transportation.

Your memorialists, therefore, respectfully ask that a military railroad be constructed, which shall extend from the copper region of Lake Superior to the nearest railway station at Appleton, Wisconsin; that its location be so made as to accommodate and afford means of transportation from all the productive copper mines which are now in operation in that region; that said road shall be placed in the interior of the country, and at sufficient distance from the [illegible]e to prevent the possibility of its falling into the hands of the

enemy, and to insure the safety of all property being transported over said road.

Approved March 15, 1862.

NUMBER V.

MEMORIAL to congress asking for the construction of fortifications at the west end of Lake Superior, and the location of a naval station at that place.

The memorial of the senate and assembly of the state of Wisconsin, respectfully represents:

That the increasing trade of Lake Superior, the rapid development of the mining interests, and the settlements to the south and west of Superior, all demand that some immediate action be taken to protect this most westerly port of the great chain of lakes against any emergency whatever.

Your memorialists would, therefore, respectfully ask, that a sufficient appropriation be made to fortify this important port, and make the same a naval station.

Approved March 15, 1862.

NUMBER VI.

A MEMORIAL to the postmaster general, changing the time of carrying the mail from Monroe to Darlington, La Fayette county, Wisconsin.

The memorial of the legislature of the state of Wisconsin, respectfully represents:

That the interests and convenience of a large population would be greatly enhanced by the establishment of a tri-weekly mail route, instead of a semi-weekly mail, from Monroe, Green county, Wisconsin, to Darlington, La Fayette county, Wisconsin, via Skinner, Green county, and Wiota, La Fayette county, Wisconsin.

Your memorialists would respectfully ask that the said mail route be changed as aforesaid, at the earliest practical period.

Approved April 5, 1862.

NUMBER VII.

A MEMORIAL to the postmaster general for the establishment of a weekly mail route from Mill Haven, in Juneau county, to Sparta, in Monroe county.

The memorial of the legislature of the state of Wisconsin, respectfully represents:

That the interests and convenience of a large population would be greatly enhanced by the establishment of a weekly mail route from Mill Haven, in Juneau county, Wisconsin, via Forbes' valley, Dorset, Wilton, Wellington and More's creek, to Sparta, Monroe county, Wisconsin.

Your memorialists would respectfully ask that the said mail route be established as aforesaid, at the earliest practicable period.

Approved April 5, 1862.

NUMBER VIII.

MEMORIAL to congress for a donation of land and money to construct a military railroad from some point on the Mississippi river or Lake St. Croix, in the state of Wisconsin, between towns 25 and 31, to Superior City, in Douglass co.

To the honorable the senate and house of representatives, in congress assembled:

Your memorialists, the legislature of the state of Wisconsin, would respectfully represent:

That a communication from the interior of Wisconsin to the head of Lake Superior, is of vast and vital importance to the interest of the whole of the state of Wisconsin, and the Lake Superior district; that as a military arm, there is no route which more strongly commends itself to the immediate attention of congress, than the one proposed by your memorialists; that in the event of war with the English government, the entire commerce of Lake Superior, now amounting in the aggregate to over fifteen million dollars annually, would be hopelessly cut off and destroyed by fortifications on St. Mary's river, thus depriving our country of the iron and copper so important to our government in the construction of ordnance; that in case of war with Great Britain, there could be no route so good as the one proposed for the transport of supplies and munitions of war, for the defense of the commerce on that great inland sea; also,

that in the event of our government building a fort at the head of Lake Superior, this would be the only route which could be depended on for the sending [of] supplies. The spirit of the age, advancement in the arts of war, and the experience of the past year, all tend to show the imperative necessity of providing means for the rapid transport of troops and munitions of war, and has convinced all that no method of transport can be so promptly effective as railroads. That the geographical position of this proposed road is one which must commend it to the confidence and attention of all, as one of the most important in the whole of our great railroad system. In this connection it may not be inappropriate to remark, that railroads, as a means of intercommunication, are now acknowledged as an absolute necessity, adopted in almost every portion of the United States. This necessity becomes more apparent in our own, not only as a commercial means of transportation in time of peace, but as of the highest importance in time of war, as the only effective method of transporting troops.

The Canadian government has already granted to railroads running to Sault St. Marie river, over four millions acres of land, thus showing that the English government is fully convinced of the vast importance of opening an avenue of rapid communication with their valuable interests on Lake Superior. Shall we neglect our interest until it is hopelessly too [late ?] Lake Superior is an inland sea of thirty-two thousand square miles, and over two thousand miles of coast, two-thirds of which, including the most valuable mineral district in the world, belong to the United States.

Your memorialists would further represent, that the railroad for which this aid is asked, may pass through for at least 150 miles of its route, a rich though uncultivated country, capable of sustaining a dense population; that it only requires an avenue through it to cause emigration to flow that way; that a large portion, in fact, nearly all of the lands lying along the line of the proposed road, are yet in the hands of the St. Croix and Superior railroad company, and that it will be but consulting the best interest of the state and general government, to set apart for this improvement the aid asked both in lands and money; that a survey of a route from Hudson, Wisconsin, to Lake Superior, has been made, and that the survey and estimated cost of construction, shows that a railroad can be constructed over this route as cheap, and we believe cheaper, than any railroad in our whole country.

Your memorialists would further represent, that in consideration of the grant of lands and pecuniary aid asked in this memorial, (*that*) the said railroad shall be and remain a public highway, for the use of the government of the United State, free from all toll

or other charge upon the transportation of any property or troops of the United States; and also, that the United States mails shall be transported over said railroad, under the direction of the post-office department, at such price as congress may fix by law, or the postmaster general may determine. The advantages of this road to our whole country are altogether too numerous to present in the limits of a memorial, and your memorialists will content themselves, in conclusion, by saying, that in the opinion of this legislature, no public measure could be devised which would do more to stimulate business, give confidence and energy to both agriculture and commerce, enhance the value of property and labor, and increase the productions of the country; that the agricultural, commercial and mineral interests of Wisconsin and Lake Superior, imperiously demand the construction of a safe and sure route for the transport of the exports and imports of this country, so rapidly increasing in agricultural, commercial and mineral wealth.

Believing that it has ever been the intention of the national legislature to dispose of its bounties where the greatest benefits shall be conferred on the country at large, it is to be hoped that congress, throwing aside all objections, such as improper estimates of its importance as a military arm, the increased expenses of the government in prosecuting the war, and other matters of like character, will grant the aid required to accomplish this important enterprise, the necessity of which every citizen acquainted with the vast agricultural resources of Wisconsin and the immense mineral wealth of Lake Superior, and the important geographical position of the road, will at once acknowledge as of vast and absorbing importance.

Approved April 5, 1862.

NUMBER IX.

MEMORIAL to the postmaster general in regard to a mail route in Green county.

The memorial of the legislature of the state of Wisconsin, respectfully represents:

That a large portion of the people of the northern part of Green county receive their mails by railroad as far as Monroe, in said county, and that a discontinuance of the mail service from said

Monroe to Exeter, via Monticello, all in said county, would be a very great inconvenience to them.

Your memorialists, therefore, respectfully ask, that said mail facilities from Monroe to Exeter may be continued.

Approved April 5, 1862.

NUMBER X.

MEMORIAL to congress for the relief of James S. Sadd, mail contractor.

To the honorable the senate and house of representatives of the United States, in congress assembled:

The memorial of the legislature of the state of Wisconsin, respectfully represents:

That by virtue of a contract made with the United States, Lawrence McConnell, of Madison, Wisconsin, undertook, on the first day of July, 1858, to carry the United States mail from Madison to Fort Atkinson, three trips per week, by way of Door Creek, Sweet Home, Cambridge and Oakland, making a distance of thirty-three miles, and for the period of four years—said route numbered 13,025; that the said McConnell carried said mail three months, when he sub-contracted the carrying thereof to the said Sadd, for the remainder of the term, to wit: until the first day of July, 1862; that on the 2d day of March, 1859, the postmaster general changed the route so as to include the intermediate postoffices on said route, known as Door Creek, Utica, Christiana, Cambridge and Oakland, omitting Sweet Home, but thereby increasing the distance from Madison to Fort Atkinson, from thirty-three to thirty-eight miles, thereby increasing the travel ten miles for each and every trip; that the said McConnell and the said Sadd, being unacquainted with the postoffice regulations and ignorant of their legal rights, made no complaint in regard to the increased service for a long time, and not until after the 16th of March, 1860, when Mr. Sadd was accepted at the postoffice department in the place of McConnell, the original contractor, for the residue of the term, and until the 1st of July, 1862, and without increased compensation; that the said Sadd has presented his claim to the proper department of the government for adjustment, but that the same was rejected upon the grounds that no complaint was made to such increased travel by Lawrence McConnell, the original contractor, and for the fur-

ther reason that a sub-contractor is not recognized by the post-master general; that the only remedy for Mr. Sadd, is through the action of congress; and your memorialists submit, that a mere technical objection ought not to prevent Mr. Sadd from obtaining a fair compensation for his labor; that he has faithfully performed the travel on said route in person, and is fairly entitled to extra compensation therefor, for each year, exceeding fifteen hundred miles.

Therefore, your memorialists ask that congress give careful attention to this claim, and that an adequate appropriation be made at its present session, to compensate Mr. Sadd for the increased services rendered by him in carrying the mail on said route.

Approved April 5, 1862.

NUMBER XI.

A MEMORIAL to congress for the discontinuance and establishment of certain mail routes in Grant and Iowa counties.

To the honorable the senate and house of representatives of the United States, in congress assembled:

The memorial of the legislature of the state of Wisconsin, respectfully represents:

That the interests and convenience of a large portion of the citizens of Iowa county, would be better subserved by the discontinuance of that portion of mail route number 13,117, between Muscoda and Highland, and also that portion of mail route number 13,116, from Mineral Point to Montford, and the establishment of a semi-weekly mail route from the village of Avoca, in Iowa county, via the villages of Highland and Linden, to the city of Mineral Point.

Your memorialists would, therefore, respectfully ask that said mail routes may be so discontinued and established at the earliest practical period.

Approved April 5, 1862.

NUMBER XII.

MEMORIAL for a weekly mail route from Sturgeon Bay to Ephriam, in Door county.

To the honorable the senate and house of representatives of the United States, in congress assembled:

The memorial of the legislature of the state of Wisconsin, respectfully represents:

That the interests and convenience of a large number of inhabitants of the county of Door, in this state, would be greatly enhanced by the establishment of a weekly mail route from Sturgeon Bay north via Egg Harbor, Fish Creek, to Ephraim, in Door county, in this state.

Your memorialists respectfully ask, that the said mail route be established as aforesaid, at the earliest practicable period.

Approved April 7, 1862.

NUMBER XIII.

A MEMORIAL to congress for a mail route from Barton, in Washington county, to Billmon's Corners, in said county.

To the hon. the senate and house of representatives of the United States, in congress assembled.

The memorial of the legislature of the state of Wisconsin, respectfully represents:

That the town of Wayne, in the county of Washington, contains about sixteen hundred inhabitants, and that there is no postoffice or mail service established in said town; that the interests and convenience of a large number of inhabitants would be greatly enhanced by the establishment of a weekly mail route from the village of Barton, in the county of Washington, to Billman's Corner, in the town of Wayne aforesaid, a distance of about nine miles only, and that a postoffice be established at the last named place, to be called by the name of "Wayne."

Your memorialists would further represent, that Nicholas Marx and others, of said town, will transport the mails over said route

without any expense to the general government, and for the avails of the postoffice prayed for hereinbefore.

Your memorialists would respectfully ask, that said mail route and postoffice be established as aforesaid, at the earliest practicable period.

Approved April 7, 1862.

NUMBER XIV.

A MEMORIAL to congress for a mail route from Barton, in Washington county to Eckel's Corners, in said county.

To the hon. the senate and house of representatives of the United State, in congress assembled:

The memorial of the legislature of the state of Wisconsin, respectfully represents:

That the interests and convenience of a large population would be greatly enhanced by the establishment of a weekly mail route from the village of Barton to Eckel's Corners, in the town of Addison, in the county of Washington.

Your memorialists would respectfully ask, that the said mail route be established as aforesaid, at the earliest practicable period.

Approved April 7, 1862.

NUMBER XV.

MEMORIAL to congress for a mail route from Watertown, in Jefferson county, via Ixonia, Concord and Farmington, to Johnson's Creek, in said county.

To the honorable the senate and house of representatives of the United States, in congress assembled:

The memorial of the legislature of the state of Wisconsin, respectfully represents:

That the interests and convenience of a densely populated section of country would be greatly enhanced by the establishment of

a tri-weekly mail route from Watertown, in Jefferson county, via (*of*) Ixonia, Concord and Farmington, to Johnson's Creek, in Jefferson county, Wisconsin.

Your memorialists would therefore respectfully ask the establishment of said mail route, at the earliest practicable period.

Approved April 7, 1862.

NUMBER XVI.

A MEMORIAL to the postmaster general for increase of mail service from the city of Madison, in the county of Dane, by way of Sun Prairie, to the city of Watertown, in the county of Jefferson.

This memorial of the legislature of the state of Wisconsin, respectfully represents:

That, as at present arranged, the mail service between Madison and Watertown, by way of Sun Prairie, is entirely inadaquate to the wants of the people; and therefore we would ask you to increase the said service, by establishing a daily mail over said route, known to your department as mail route number 13,092.

Approved April 7, 1862.

NUMBER XVII.

MEMORIAL to congress for a mail route from Munches, in Waukesha county, to Hartford, in Washington county.

To the honorable the senate and house of representatives of the United States, in congress assembled:

The memorial of the legislature of the state of Wisconsin, respectfully represents:

That the interests and convenience of a large number of the inhabitants of the county of Washington, require the establishment

of a mail route from Munches' postoffice, in Waukesha county, to the village of Hartford, in the county of Washington, via (*of*) Monroe's Corner, in the town of Erin, in said county of Washington.

Your memorialists would therefore respectfully ask, that the aforesaid mail route may be established, and that the service be put on at as early a period as practicable.

Approved April 7, 1862.

STATE OF WISCONSIN, } ss.
SECRETARY'S OFFICE. }

The secretary of state of the state of Wisconsin does hereby certify, that the laws, joint resolutions and memorials, published in this book, have been compared with the originals, deposited in this office, and that they appear to be correctly printed.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the state, at the capitol, in Madison, [L. S.] this 22d day of July, one thousand eight hundred and sixty-two.

JAMES T. LEWIS, *Secretary of State.*

LIST OF APPROPRIATIONS.

Date.	*No.*	*To whom and for what appropriated.*	*Amount.*
Jan. 24...	1...	Schumacher & Johnson, repairing lock and vault in comptroller's office,	$25 00
24...	2...	William Pyncheon, cartage about capitol,	63 72
25...	3...	State prison, expenses,	5,000 00
Feb. 7...	4...	J. J. Foster, arresting Elisha Case,	40 00
7...	5...	G. Van Steenwyk, defense of suits,	101 85
7...	6...	R. K. Findlay, powder used at Camp Randall,	40 00
15...	7...	Donaldson & Tredway, merchandise,	225 07
15...	8...	Jermain & Brightman, printing governor's proclamation,	11 70
15...	9...	T. N. Bovee, merchandise,	78 13
15...	10...	D. L. Townsend, convicts to state prison,	40 00
15...	11...	W. P. Towers, painting and glazing,	345 01
15...	12...	D. C. Poole, crockery,	46 54
15...	13...	B. W. Suckow, salary ass't sup't public property,	157 44
17...	14...	A. Sherwin, attending supreme court and searching for escaped convict, Burns,	200 50
17...	15...	B. W. Suckow, bookbinding and stationery,	118 07
24...	16...	E. Gibbs, gas fixtures, &c., military offices,	125 69
24...	17...	do do do capitol,	418 33
24...	18...	Atwood & Rublee, advertising proposals for wood, &c.,	11 90
24...	19...	do do printing for adj. general's office,	38 00
24...	20...	Church & Hawley, furniture,	276 89
28...	21...	Moseley & Brother, stationery,	611 86
28...	22...	W. A. P. Morris, abstract of insane asylum lands,	25 00
28...	23...	Church & Hawley, furniture for war department,	185 00
March 1...	24...	C. W. Heyel, repairing lanterns,	2 50
1...	25...	Wisconsin telegraph company, telegraphing for bank comptroller,	26 44
1...	26...	S. G. Benedict, map for senate,	7 00
1...	27...	Simeon Mills, hardware for war department,	19 69
1...	28...	do do do furnished state,	22 75
1...	29...	Bowen & Ramsey, merchandise,	319 81
8...	30...	Noonan & McNab, stationery,	507 00
8...	31...	Amos Parker, cleaning clocks,	6 00
8...	32...	Bliss, Eberhard & Festner, stationery,	272 77
8...	33...	A. Warren, ice,	55 00

	8...34	Harvey & Moxley, coal, repairing cistern, &c.,	65 25
	8...35	J. H. Warren and John S. Dean, indexing, &c.,	100 00
	15...36	G. D. Norris, flags, &c., for war department,	99 38
	21...37	Wilhelm Bach, services of band, 22d Feb.,	25 00
	25...38	G. D. Sheldon, wood,	500 00
	27...39	C. S. Mears & Co., lumber,	94 12
	27...40	R. K. Findlay & Co., merchandise,	111 64
	27...41	Candee, Dibble & Co., carpeting,	52 68
	27...42	S. Klauber & Co., merchandise,	248 17
	27...43	Donaldson & Tredway, merchandise,	77 19
	27...44	La Fayette Kellogg, costs in state cases,	193 00
	28...45	J. H. McFarland, firing salutes, 17th and 22d Feb.,	68 00
	28...46	C. V. N. Kittridge, hardware,	200 33
	28...47	P. L. Carman, coal,	71 75
	28...48	A. Sherwin, attendance on supreme court,	102 00
	28...49	George Paine, merchandise,	122 22
	28...50	do do do	107 85
	28...51	C. H. Luce, lumber,	246 98
	28...52	A. Patt, 1000 copies governor's message, Holland,	150 00
	28...53	Ramsey & Campbell, merchandise,	81 08
	28...54	Church & Hawley, furniture,	113 51
	28...55	G. Van Steenwyk, costs in cases in which bank comptroller was a party,	74 90
	28...56	A. E. Brooks, wood,	1,000 00
	28...57	Smith & Cullaton, adv. proposals for wood and ice,	9 90
	28...58	Dorn & Brownell, livery for committee to visit insane asylum,	10 00
	28...59	Dunning, Jones & Co., merchandise,	10 21
	28...60	Muldoon & Crampton, iron work,	8 23
	28...61	James Wilson, stationery agent,	241 63
April	5...63	I. C. Sloan, attorney fees, State vs. Baxter,	200 00
	5...64	Louis Lipman, senate and assembly diagrams,	140 00
	5...65	LeRoy W. Fairchild, gold pens, &c.,	878 50
	5...66	J. H. Warren and John S. Dean, compiling legislative manual,	100 00
	5...67	John T. Jones, 1000 copies governor's message, Welch,	150 00
	5...68	S. U. Pinney, attorney fees, State vs. Messmore,	200 00
	5...69	Dorn & Brownell, livery for committee to visit insane asylum,	8 00
	5...70	Seth Bartlett, livery for committee to visit insane asylum,	8 00
	5...71	Carson & Brothers, stationery,	408 00
	7...72	J. C. Hopkins, attorney fees, State vs. Massing,	300 00
	5...75	Adam E. Ray, state agent to visit volunteers,	270 23
	7...76	George McDougal, services with insane asylum investigating committee,	38 00
	7...77	Chicago and Northwestern R. R. Co., transporting troops,	157 50
	7...78	Moseley & Brother, stationery,	50 00
	7...79	Andrew Kentzler, livery, 15th regiment investigating committee,	3 00
	7...80	Renseler Cronk, surveying swamp lands,	494 00
	7...81	E. B. Forman, messenger in governor's office,	94 50
	7...82	R. K. Findlay, merchandise,	19 38
	5...83	Selah Mathews, expenses to Waupun, to settle with legislative committee,	25 60
	5...84	Moseley & Brother, repair account with sup't public property,	23 17
	5...85	Milwaukee and Prairie du Chien R. R. Co., transporting troops,	1,186 12
	5...86	Milwaukee and Chicago R. R. Co., transporting troops,	542 00

	5...87...N. W. Dean, wood,.....	1,115	00
	5...88...P. L. Carman & Co., coal, ...	60	00
	5...89...C. F. Solberg, 2000 copies governor's message, Norwegian,.....	200	00
	5...90...Carroll & Livsey, coal grate, attorney general's office,....	39	65
	5...91...John N. Jones, hardware,.....	84	15
	5...92...Jeremiah H. Heath, wood for state prison,.....	47	00
June	13...93...Fritz Anneke, services as colonel artillery regiment,.....	366	74
	16...94...D. C. Poole, crockery,.....	17	81
	16...95...Charles A. Loveland, clerk joint select committee,.....	25	00
	17...96...Isaac Klauber, state agent, first regiment,.....	166	00

STATE OF WISCONSIN, } ss.
SECRETARY'S OFFICE, }

I, James T. Lewis, secretary of state of the state of Wisconsin, do hereby certify, that I have compared the foregoing list with original acts of appropriations deposited in this office, and that the same is a complete list of all the appropriations made at the last session of the legislature, except such as are printed at length in this volume.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the state, at the capitol, in Madison, this [L. S.] 22d day of July, Anno Domini eighteen hundred and sixty-two.

JAMES T. LEWIS, *Secretary of State.*

INDEX.

A.

ACCOUNTS—for labor about capitol, to be audited by sec'y of state,..... 33
for rent of certain rooms, do do do 137
for engraving state bonds, do do do 237
ACTIONS—commenced in courts of record, of which justices have jurisdiction, costs in,..... 38
ADAMS CO.—terms of circuit court in,..... 230
ADJUTANT GENERAL—auditing accounts for rent of rooms of..... 137
ADOPTION OF CHILDREN—sec. 2, chap. 49 R. S., relating to, amended ... 153
ADVERTISING—lands lying in different counties, by executors, &c..... 36
lands for unpaid taxes by county treasurers, time changed..... 45
of forfeited school, university and swamp lands..... 73
fees for legal, reduced..... 80
AGRICULTURAL COLLEGE BILL—joint resolution relating to..... 272
AGRICULTURAL SOCIETY—relative to officers of state..... 171
relief to Outagamie county..... 50
do Manitowoc do 57
do Eau Claire do 61
do Douglass do 61
do La Crosse do 103
do Rock do 121
do Green do 185
do Monroe do 237
AGRICULTURAL STATISTICS—act relating to collection of, by assessors... 117
AGRICULTURAL TRANSACTIONS—joint resolution relating to printing of, 270
AHNEPEE--expenditure of drainage fund in town of..... 182
AID SOCIETY—German Methodist, incorporation of..... 258
AID TO VOLUNTEERS—chap. 8, E. S. 1861, relative to, amended..... 64, 284
ALLOTMENT COMMISSIONERS—duties and compensation of..... 108
AMENDMENTS—*General Laws.*

Year.	*Chap.*	*Sec.*	*Title.*	
1851	159	...	to incorporate the village of Manitowoc.....	218
1852	56	...	amending charter of city of Milwaukee, 29, 186, 209, 219,	246
1852	294	18	relating to schools in the city of Racine.....	15
1858	89	1	exempting property from execution.....	151
1858	103	1	relating to business of insurance.....	52
1859	35	1	concerning certain actions.....	38

AMENDMENTS—*General Laws*—concluded.

Year.	*Chap.*	*Sec.*	*Title.*	
1859	87	1	additional to chap. 86 R. S., alienation by deed, &c.....	26
1859	121	9	for the more speedy collection of penalties, &c.....	211
1859	135	...	relief of Marquette county.....	49
1859	143	4	relating to sale of unripe cranberries.....	21
1859	151	31, 84	collection of demands against ships, &c.....	76
1859	160	1	limiting the rate of interest.....	153
1859	190	1	to regulate foreign insurance companies.....	41
1859	190	5	do do do do	95
1860	35	1	to limit liability of counties, &c.....	49
1860	62	2	terms of court in 4th circuit	72
1860	130	6	authorizing Brown county to aid railroad to Madison...	7
1860	153	...	to amend charter of city of Janesville.....	61
1860	162	1	state road from Stevens Point to Eau Claire.....	93
1860	174	1	regulating railroads.....	17
1860	223	...	license moneys in Dodge county.....	183
1860	225	1	expenditure of drainage fund in Jefferson county.....	183
1860	263	12	government of hospital for insane.....	163
1860	264	28	amending chap. 139 R. S., appeals, &c.....	258
1860	270	1	amending sec. 106, chap. 28 R. S., school land forfeitures, &c.....	96
1860	295	1	assessment and collection of taxes.....	179
1860	306	5	assessment, &c., of lands mortgaged to state.....	110
1860	337	1, 4	to incorporate religious societies.....	60
1860	362	5	relating to Milwaukee county court.....	59
1860	386	19	assessment and collection of taxes.....	179
1860	386	34	do do do do	178
1861	E.S. 7	1	relating to rights, &c., of volunteers.....	54
1861	E.S. 8	..,	to provide aid to volunteers, &c.....	64, 284
1861	27	1	to legalize sale of lands for taxes in Juneau county.....	8
1861	39	1	amending chap. 137 R. S.....	142
1861	96	...	to amend charter of city of Oshkosh.....	61
1861	98	13	do do do Racine	15
1861	129	...	amending chap. 13 R. S., counties and county officers....	253
1861	140	1	do 134 R. S., executions, &c.....	22
1861	170	...	to grant certain islands to bridge company.....	184
1861	179	...	county superindendent of schools.....	99
1861	198	3, 5	publication of legal decisions.....	136
1861	198	4	do do do	136
1861	206	1	to prevent the spread of noxious weeds.....	25
1861	216	...	to apportion state into senate and assembly districts, 46,	112
1861	236	...	government of reform school, &c.....	216
1861	276	1	sale of lands for unpaid taxes.....	9
1861	302	...	municipal court of Ripon.....	102
1862	14	...	relevy of taxes in Pierce county, for 1861	145
1862	89	1	investment of school funds in state bonds.....	128
1862	90	...	reassessment of taxes in Beloit, for 1856, 1857, 1858 and 1859.....	218
1862	123	...	repair of streets, &c., of Oshkosh.....	188
1862	131	4	suspending sale of lands mortgaged to state by volunteers	161
1862	172	1	general terms of circuit court in Marquette county.....	229
1862	176	8	to establish a system of graded certificates.....	171
1862	200	1	authorizing Green Bay to subscribe to stock of Ch. and N. W. R. R.....	236
1862	203	1	amending chap. 71 R. S., banking associations.....	219, 268
1862	332	2	redemption of lands sold for taxes of 1858.....	214

AMENDMENTS—*Private and Local Laws.*

Year.	*Chap.*	*Sec.*	*Title.*	
1853	94	...	to incorporate the city of Sheboygan	246
1853	124	5	to amend charter of city of Watertown	188
1854	280	...	to incorporate village of Sheboygan Falls	121
1855	178	8	to amend charter of city of Fond du Lac	40
1856	134	...	to incorporate city of La Crosse	115
1856	327	...	to amend charter of city of Watertown	78, 188
1856	338	...	street commissioners' certificates in city of Milwaukee	217
1856	344	...	to incorporate the village of Delavan	189
1856	535	...	do borough of Fort Howard	246
1857	133	...	to amend charter of city of Kenosha	103
1857	163	...	do do village of Horicon	98
1857	208	...	do do city of Fond du Lac	71, 190
1857	332	...	do do city of Watertown	78
1858	4	...	do do city of Madison	236
1858	72	...	do do city of Ripon	188
1858	93	...	do do city of Portage	221
1858	108	...	do do city of Janesville	61
1858	212	...	do do village of Sheboygan Falls	121
1858	252	...	do do city of La Crosse	116
1859	30	...	do do village of Waukesha	105
1859	172	...	do do city of Milwaukee	187
1860	176	...	to incorporate the village of Mauston	109
1861	78	...	to amend charter of city of Mineral Point	63

AMENDMENTS—*Revised Statutes.*

Chap.	*Sec.*	*Page R. S.*	*Title.*	
6	29	88	public printing, &c	233
7	56	108	elections, &c	256
7	99	114	general elections, &c	41
13	85	159	counties and county officers	78
13	94	161	do do do	222
15	94	188	towns and town officers	256
15	117, 120, 121, 122	192, 193, 193, 193	do do	39
19	32	256	highways and bridges	38
19	77	263	do do	109
23	60	292	common schools	170
27	5	309	state superintendent of public property, &c	243
27	6	309	do do do do	46
28	59	320	school and university lands	96
28	61	320	do do	73
28	62	320	do do	169
35	1, 2	362	excise	239
35	5	363	do	83
37	...	368	support of bastards	62
49	2	388	adoption of children	153
60	1	408	bills of exchange and promissory notes	27
66	5	419	religious societies	97
71	...	460	banking associations	114, 219, 263
79	33	510	railroads	154
91	1	551	rights of landlords and tenants	111
93	9	559	sale of lands of minors, &c	143
94	25	564	do for payment of debts, by executors, &c	36
94	41	567	do do do do	81

AMENDMENTS—*Revised Statutes*—concluded.

Chap.	*Sec.*	*Page R. S.*	*Title.*	
101	31, 61	597, 602	debts and legacies	20
110	2	618	registration of marriages, &c	48
117	17, 59	649, 654	county courts	26
117	19	650	do	157
120	217	699	courts held by justices of the peace	16
123	8	717	place of trial of civil actions	116
124	4	718	manner of commencing civil actions	87
133	21	771	costs and fees	141
134	...	782	executions, &c	146
134	31	786	do	10, 97
140	81	834	miscellaneous proceedings, &c	50
140	40	835	do do	66
159	8	914	writs of mandamus and prohibition	142
160	...	916	actions of seire facias and quo warranto	32
161	8	921	relief to insolvent debtors	103
165	44	942	offenses against property	121
178	4	992	change of venue in criminal cases	48, 124
186	7	1006	education of deaf and dumb	54

AMENDMENT OF PROCESS—act concerning 106
AMENDMENT TO CONSTITUTION—act proposing 118
joint resolution in relation to 268
ANNEKE, Fritz—appropriation to 291
ANNUAL MEETING—in Burlington union school district 13
in school district number one, Waukesha 34
do do Prescott, &c 182
do do Palmyra 238
APPEALS—providing for certain, in St. Croix co 66
chap. 264, G. L. 1860, amending chap. 139 R. S. relating to, amended, 258
from justices' courts tried as original cases 16
APPORTIONMENT—of state into senate and assembly districts, act of 1861 amended 46, 112
APPROPRIATION—to clerks of joint committee on war fund expenditure 30
to pay certain indebtedness against swamp land fund 27
to pay laborers about the capitol 33
to A. P. Hodges, state prison commissioner 84
to joint committee on state prison 94
for payment of allotment commissioners 108
to joint select committee to visit St. Mary's hospital 123
to St. Mary's hospital 123
to governor, for contingent expenses 110
to committee on benevolent institutions 123
to institute of blind 124
to state reform school 124
to meet extraordinary expenditures 129
to joint select committee to investigate into disbursement of war fund, &c 134
to pay for rent of certain rooms 137
to hospital for the insane 145
to institution for education of deaf and dumb 146
to pay debts against state university 168
for expenses of arbitration in settlement with Milwaukee and Rock river canal co 207, 227
for refunding penalties 211
for purchase of stationery for ensuing year 215

APPROPRIATION—for payment of governor's expenses in visiting state institutions..... 220
for payment of certain military warrants, &c..... 226
to Cordelia Harvey..... 231
for care of sick and wounded volunteers..... 231
for payment of legislative chaplains..... 232
to build railing around the grave of the late governor..... 235
to pay for certain public printing..... 245
to Andrew Henry..... 247
list of general.....289-291
ARMORER, state—auditing of accounts for rent of rooms of..... 137
ARTILLERY—members of batteries of, entitled to extra pay.....64, 234
ASHLAND CO.—lien for labor, &c. in..... 86
term of circuit court in, changed..... 155
ASSEMBLY AND SENATE—indexing and transcribing journals of..... 124
ASSEMBLY DISTRICTS—in Green county, changed..... 112
ASSESSMENT—of property for 1862, postponed..... 175
ASSESSMENT ROLLS—for 1862, when to be completed..... 224
of town of Franklin, for 1861, legalized..... 47
do Richmond, do 55
of city of Oshkosh, for 1861, equalization of..... 80
ASSESSORS—duty of, under act for collection of statistics..... 117
duty of, under act amending chapter 386 G. L. 1860..... 178
do relating to taxes of 1862..... 224
ATTACHMENT—certain swords, plate, books, &c. exempt from..... 47
certain firearms exempt from..... 97
ATTORNEY GENERAL—duty of, under act amending chap. 160 R. S..... 88
duty of, under act for settlement with Milwaukee and Rock river canal company.....208, 227
ATWOOD & RUBLEE—appropriations to..... 289

B.

BACH, Wilhelm—appropriation to..... 286
BAD AX CO.—terms of circuit courts in, changed..... 44
name of, changed to Vernon..... 79
BANK COMPTROLLER—duty of, under act for service of notices against banking associations..... 29, 30
duty of, under act to dispose of discredited currency in treasury..... 130
duty of, under chap. 354, amending chap. 71 R. S..... 219, 264
BANKING ASSOCIATIONS—service of notices upon..... 29
chap. 71 R. S. relating to, amended..... 114, 219, 263
BANKS— do do do 114, 219, 263
BARTHOLOMEW, Geo. M.—official acts of, legalized..... 257
BARTLETT, Seth—appropriation to..... 290
BASTARDS—chap. 37 R. S. relative to, amended..... 62
BEAVER DAM—return of delinquent lands in city of..... 180
BELGIUM—assessment of real estate for 1862, in town of..... 181
BELOIT—time for collection of taxes in town of, extended..... 8
do do do city do 8
reassessment of taxes in city of, for 1856, 1857, 1858 and 1859..... 53, 218
BENEDICT, S. G.—appropriation to..... 289
BENEVOLENT INSTITUTIONS—appropriation to committee on..... 123
BERDAN'S SHARPSHOOTERS—members of, entitled to extra pay..... 234
BERLIN—relief by, to Warren Jones..... 243
BERLIN AND GRAND RAPIDS R. R.—incorporation of..... 218
BILLS OF EXCHANGE—notice of protest of..... 152

BIRTHS—chap. 110 R. S. relating to registration of, amended..... 48
BLACK RIVER FALLS R. R.—Jackson county authorized to aid..... 93
BLIND—appropriation to institute of..... 124
BLISS, EBERHARD & FESTNER—appropriation to..... 289
BOATS—collection of demands against..... 76
BONDS—Prairie du Chien authorized to issue, &c..... 50
of state, investment of school fund in.....53, 128
Jackson co. authorized to issue to R. R..... 93
issue of, for payment of indebtedness of Sheboygan co..... 107
issue of, by state, for completion of capitol and insane hospital..... 129
issue of, for war purposes, &c..... 131
BOVEE, T. N.—appropriation to..... 289
BOWEN & RAMSEY—appropriation to..... 289
BRITT, Mr.—joint resolution tendering thanks to..... 272
BROOKS, A. E.—appropriation to..... 290
BROWN CO.—act authorizing aid by, to G. Bay and Mad. R. R. amended.... 7
expenditure of drainage fund in..... 192
certain lands in, confirmed to Ch. and N. W. R. R..... 212
BUFFALO CO.—terms of circuit court in, changed..... 44
BURLINGTON—annual meeting in union school district in town of..... 13

C.

CALEDONIA, Waupaca and Dayton—aid by, to Oshkosh and Wausau R.R. 191
CALKINS, E. A. & CO.—reletting of contract of, for public printing..... 245
CALUMET CO.—time for holding courts in, changed..... 11
CANAL CO.—Milwaukee and Rock river, settlement of state with..... 206, 227
CANDEE, DIBBLE & CO.—appropriation to..... 290
CANNON, Capt.—joint resolution tendering thanks to..... 271
CAPITOL—payment of laborers about..... 33
loan authorized for payment of enlargement of..... 129
CARMAN, P. L.—appropriations to..... 290, 291
CARROLL & LIVESEY—appropriation to..... 291
CARSON & BROTHERS— do 290
CATTLE—R. S. relating to malicious injury to, amended..... 121
CATTLE, Horses and Mules—running at large of, in Grant co..... 185
CAVALRY—members of regiments of, entitled to extra pay.....64, 234
CENTER—time to collect taxes in town of, extended..... 36
CERTIFICATES to Teachers—system of graded, established.....99, 171
CHANGE OF VENUE in Criminal Cases—chap. 178 R. S. relating to, amended..... 43
CHAPLAINS—appropriation for payment of..... 232
CHICAGO AND N. W. R. R.—Green Bay authorized to aid..... 113, 286
certain lands in Brown county confirmed to..... 212
appropriation to..... 290
CHILDREN—sec. 2, chap. 49 R. S. relating to adoption of, amended..... 153
CHIPPEWA CO.—terms of circuit court in, changed..... 24
publication of delinquent tax list for 1858, authorized..... 72
CHIPPEWA RIVER—conveyance of certain island in, to Ira Mead..... 74
CHRISTMAS—declared a legal holiday..... 146
CHURCH & HAWLEY—appropriations to.....289, 290
CIRCUIT COURT. *See* COURT.
CIRCUITS. *See* JUDICIAL CIRCUITS.
CITIES in Fond du Lac county—act for relief of..... 9
CIVIL ACTIONS—chap. 124 R. S. relating to, amended..... 87
chap. 140 R. S. relating to miscellaneous proceedings in, amended..... 66
chap. 123 R. S. relating to place of trial of, amended..... 116

JOINT RESOLUTIONS—7—recommending Col. Salomon as brigadier-gen'l 269
8—recommending Hartley's breach-loading cannon 269
9—public printing, &c..... 269
10—agricultural society's transactions..... 270
11—approval of president's course..... 270
12—thanks to Capt. Cannon..... 271
13—relative to death of Gov. Harvey..... 271
14—agricultural college bill..... 272
JONES, J N.—appropriation to..... 291
JONES, J. T.— do 291
JONES, Warren—relief of..... 243
JOURNALS of Senate and Assembly—indexing and transcribing of..... 124
JOYCE, Thomas—official acts of, legalized..... 184
JUDGES OF COUNTY COURTS—may perform certain duties of commissioners to examine claims of deceased persons..... 20
JUDGES—to file statements of costs for which counties are liable..... 156
JUDGMENTS—transcripts of certain, rendered in cir. court of Shananaw co. 145
JUDICIAL CIRCUITS—act of 1861, defining boundaries of certain, repealed, 40
terms of courts in 7th..... 230
do 9th.....158, 210
special terms of courts in 5th and 6th..... 228
JUNEAU CO.—act to legalize sale of lands for taxes in, amended..... 8
terms of circuit court in..... 230
flowing lands in, for cultivation of cranberries..... 237
JURY, Grand—supervisors of Fond du Lac co. authorized to make out..... 79
JUSTICES OF THE PEACE—sec. 217, chap. 120 R. S. relating to courts held by, amended..... 16
jurisdiction of, under act for lien for labor on logs, &c..... 88
do do amending sec. 44, chap. 165 R. S..... 121
do do to suppress sale of liquor to Indians..... 173
when costs may be given or refused by..... 141
to file statements of costs for which counties are liable..... 156
may make certificates for extra pay, in behalf of residents of adjoining towns..... 234

K.

KELLOGG, La Fayette—appropriation to..... 290
KENOSHA—readjustment of indebtedness of city of..... 85
charter of city of, amended..... 103
KENTZLER, F.—appropriation to..... 290
KEWAUNEE CO.—organization of town of Lincoln in..... 79
terms of circuit court in..... 154
KITTRIDGE, C. V. N.—appropriation to..... 290
KLAUBER, Isaac— do 291
KLAUBER, S. & CO.— do 290
KNAB, David—payment of bonds issued to, by city of Milwaukee..... 186

L.

LABOR AND SERVICE—lien for, on logs, &c..... 86
LABORERS—about the capitol, auditing of accounts of..... 33
LA CROSSE—reapportionment of taxes for 1861, in county of..... 9
terms of circuit court in county of, changed..... 44
relief to agricultural society of county of..... 103

COURT—circuit, special term of in Iowa co..... 222
county, of Milwaukee, act of 1860, relating to, amended..... 59
supreme, act of 1861, relating to distribution of reports of, amended... 136
do act of 1861, relating to price of reports of, amended..... 136
do service of summons in, for vacating charters of associations.. 82
COURTS—circuit, may appoint counsel to defend indigent persons..... 49
do may vacate cities, towns, &c..... 51
do may order the transfer of stock..... 58
do terms of, in Chippewa, Eau Claire, Dunn and Pepin changed..... 24
do do in Douglass, La Pointe and Ashland, changed. 155
do do certain, changed..... 44
do do in 7th circuit..... 230
do do in 9th do 158, 210
do special terms of, in 5th and 6th circuits..... 228
county, secs. 17 and 59, chap. 117 R. S. relating to, amended..... 26
do sec. 19 do do do 157
do jurisdiction of, under act for lien for labor on logs, &c..... 91
do judges of, may perform certain duties of commissioners to examine claims of deceased persons..... 20
justices', sec. 217, chap. 120 R. S. relating to, amended..... 16
COURT COMMISSIONERS—sec. 31, chap. 140 R. S. relating to duties of, in certain cases, amended..... 50
may take depositions..... 142
to file statements of costs for which counties are liable..... 156
sec. 94, chap. 13 R. S. relating to, amended..... 222
COURT EXPENSES—payment of, when a change of venue is allowed..... 126
CRAGIN, James T.—official acts of, legalized..... 99
CRANBERRIES—act to prevent sale of unripe, amended..... 21
flowing of lands for cultivation of, in Juneau co..... 237.
CRAWFORD CO.—terms of circuit court in, changed..... 44
regular terms of circuit court in, to be special terms..... 228
CRIMINAL CASES—act to allow defendant in, to testify in his own behalf, repealed..... 14
change of venue in..... 43, 124, 125
CRONK, R.—appropriation to..... 290
CRYSTAL LAKE and Newton—apportionment of school money in joint school district number three, in towns of..... 28
CURRENCY—disposition of discredited, in treasury..... 130

D.

DALLAS CO.—lien for labor on logs, &c., in..... 86
DALLAS and Polk cos.—change of boundaries between..... 241
DAMAGES—for flowing of lands by dams, when action to recover, to be commenced..... 105
DAMS—when action to be commenced to recover damages from flowing of lands by..... 105
DANE CO.—board of supervisors of, authorized to extend time to transact county business..... 223
DAYTON, Waupaca and Caledonia—aid by, to O. and W. R. R..... 191
DEAF AND DUMB—chap. 186 R. S. relating to, amended..... 54
appropriation to institution for education of..... 146
DEAN, Elisha B.—official acts of, legalized..... 93
DEAN, John S.—appropriations to..... 290
DEAN, N. W.— do 291
DEATHS—chap. 110 R. S. relating to registration of, amended..... 48

LOGS AND LUMBER—survey of, &c., in Winnebago co 107
protection of, in fourth district 242
LOVELAND, C. A.—appropriation to 291
LUCE, C. H.— do 290
LUMBER AND LOGS—lien for labor on 86
survey of, &c., in Winnebago co 107
protection of, in fourth district 242

M.

McDOUGAL, Geo.—appropriation to 290
McFARLAND, J. H.— do 290
MADISON—compromise of bonded indebtedness of 190
charter of city of, amended 236
MAIL ROUTE—from Monroe to Darlington, memorial in relation to 279
from Mill Haven to Sparta, memorial for 280
in Green co., memorial in relation to 282
in Grant and Iowa counties 284
from Sturgeon Bay to Ephriam, memorial for 285
from Barton to Billman's Corners, do 285
do Eckel's Corners, do 286
from Watertown, via Ixonia, &c., to Johnson's Creek, memorial for 286
do to Madison, memorial for increased service on 287
from Munches to Hartford, memorial for 287
MALICIOUS INJURY to Cattle, &c.—R. S. relating to, amended 121
MANDAMUS AND PROHIBITION—sec. 3, chap. 159 R. S. relating to amended 142
MANITOWOC—charter of village of, amended 218
relief to agricultural society of county of 57
MANUFACTURING STATISTICS—act in relation to collection of 117
MARATHON CO.—board of supervisors authorized to audit certain claims .. 71
act for relief of 99
payment of salary of county superintendent of 185
terms of circuit court in 230
MARKET SQUARE—5th ward of Milwaukee authorized to purchase grounds for 112
MARQUETTE—expenditure of drainage fund in county of 21
act of 1859, for relief of county of, amended 49
terms of circuit court in county of, changed 98, 228
special terms of circuit court in county of 98
general terms of circuit court in county of 228
survey of village of, legalized 188
MARQUETTE AND GREEN LAKE COS.—boundary line between, changed 18
MARRIAGES—chap. 110 R. S. relating to registration of, amended 48
MARRIED WOMEN—may insure lives of husbands, sons, &c 104
MARTIN'S SOLDIERS' RECORD—may be received in evidence 159
MARTIN, Xavier—official acts of, legalized 84
MATHEWS, Selah—appropriation to 290
MAUSTON—charter of village of, amended 109
MEAD, Ira—conveyance of certain island to 74
MEARS, C. S. & Co.—appropriation to 290
MEMBERS of Legislature—list of 3-6
MEMORIALS—to congress 274-288
1—post route from Detroit to Lake Superior 274
2—port of entry at La Crosse 274
3—naval depot and national armory, &c 275
4—military road to Lake Superior 278

EXEMPTIONS—guns, rifles, &c., from sale, &c..... 97
fire engines, engine houses, &c., do 151
from taxation, certain lands of Lawrence university..... 165
EXPENDITURES, Military—transfer of vouchers for..... 109
EXPLAINED—chap. 8 E. S. 1861, to provide aid to volunteers, &c..... 64, 234
EXTRA PAY—to volunteers..... 64, 234
EXTRAORDINARY EXPENDITURES—act to borrow money for..... 129
EXTRA SESSION of Legislature—laws passed at, to be printed separately... 233

F.

FARMINGTON—relief of town of..... 42
FARM MORTGAGES—relief to holders of..... 192
FEES—for legal advertising, reduced..... 80
FINDLAY, R. K.—appropriations to.....289, 290
FIRE ENGINES, &c.—exempted from sale on execution..... 151
FISHING—certain kinds of, prohibited in Door co..... 122
FLOWING OF LANDS—by dams, when actions to recover damages for, to be commenced..... 105
in Juneau co. for cultivation of cranberries..... 237
FOND DU LAC—act for relief of towns, cities and villages in county of..... 9
June term of circuit court in county of, changed..... 72
supervisors of county of, to make out list of grand jurors..... 79
disposition of license moneys in county of..... 183
time to collect taxes in city of, extended..... 85
charter of city of, amended.....40, 71, 190
city of, authorized to settle with its bondholders..... 190
FORECLOSURE OF MORTGAGES—where actions to be tried..... 143
given by volunteers, chap. 7 E. S. 1861, and chap. 154 R. S. amended. 161
FORFEITED LANDS—may be redeemed before sale..... 169
FORFEITURES—reduction of, before sale of school and university lands..... 96
FOREMAN, E. B.—appropriation to..... 290
FORT HOWARD—charter of borough of, amended..... 246
FORTIFICATIONS, &c.—at west end of Lake Superior, memorial for..... 279
FOSDICK, Capt.—joint resolution tendering thanks to..... 272
FOSTER, Abijah W.—official acts of, legalized..... 184
FOSTER, J. J.—appropriation to..... 289
FOURTH DISTRICT—protection of lumber and logs in..... 242
FRANKING PRIVILEGE—joint resolution relating to..... 266
FRANKLIN—assessment roll of town of, for 1861, legalized..... 47
reassessment of real estate in town of..... 181
FUGITIVE SLAVES—certain sections of chap. 158 R. S. relating to, repealed 217
FURNITURE—purchase of, for hospital of insane..... 120

G.

GARNISHEE—chap. 124 R. S. relating to, amended..... 146
GENERAL FUND—loan from, to war fund..... 133
GENERAL LAWS—to be furnished county superintendents of schools..... 92
See AMENDMENTS. REPEALED. REVIVED.
GEOLOGICAL SURVEY—acts of 1857 and 1860, relating to, repealed..... 67
GERMAN Methodist Aid Society—incorporation of..... 258
GIBBS, E.—appropriations to..... 289
GOVERMENT TAX for 1862—adjustment of..... 127

GOVERNOR—appropriation to, for contingent expenses..... 110
proposed amendment to constitution relating to salary of.....113, 268
authorized to draw money under certain act..... 220
may discontinue active duties of certain military officers..... 225
care of sick and wounded volunteers by..... 231
may fill vacancies in boards of supervisors..... 255
duty of, under act for printing annual state reports..... 12
do relating to allotment commissioners..... 108
do authorizing loan to meet extraordinary expenditures..... 129
do issue of bonds for war purposes..... 131
do relating to patents..... 138
do appointment of surgeons..... 160
do relief of holders of farm mortgages..... 192
do settlement with Mil. & R. R. canal co 206, 227
do explaining chap. 8 E. S. 1861..... 234
do appropriating money to build railing around grave of late governor..... 235
GRAFTON—act of 1857, to change name of, repealed..... 35
GRAND JURY—supervisors of Fond du Lac co. authorized to make list of... 79
GRANT CO.—may authorize horses, cattle, &c. to run at large..... 185
GRAY, Oscar—official acts of, legalized..... 235
GREEN BAY—charter of city of, amended..... 16
authorized to subscribe to stock of Ch. & N. W. R. R.....113, 236
GREEN BAY & MADISON R. R.—act of 1860, authorizing Brown co. to aid, amended..... 7
GREEN CO.—assembly districts in, changed..... 112
relief of agricultural society of..... 185
GREEN LAKE CO.—act to perfect records of..... 67
act for removal of county seat of..... 80
GREEN LAKE and Marquette cos.—act to change boundary line between..... 18

H.

HABEAS CORPUS relative to Fugitive Slaves—certain sections of R. S. repealed..... 217
HARRIS—time to collect taxes in town of, extended..... 7
HARTLEY'S BREECH-LOADING CANNON—joint resolution recommending trial of..... 269
HARVEY, Cornelia—appropriation to..... 281
joint resolution tendering sympathy to..... 272
HARVEY, Louis P.—appropriation to build railing around grave of..... 235
joint resolution relative to death of..... 271
HARVEY & MOXLEY—appropriation to..... 290
HEATH, J. H.— do 291
HENRY, Andrew— do 247
HEYEL, C. W.— do 289
HIGHWAYS, &c.—repair of, in Oshkosh..... 71, 188
in Pierce co. legalized..... 93
part of Racine and R. R. plankroad declared public..... 191
See ROAD.
HIGHWAYS AND BRIDGES—sec. 32, chap. 19 R. S. relating to, amended... 38
sec. 77, chap. 19 R. S. relating to, amended..... 109
HIGHWAY TAXES—when to be collected and expended..... 38
HODGES, A. P., State Prison Com'r—appropriation to..... 84
HOLIDAYS—25th Dec. and thanksgiving declared legal..... 146
HOPKINS, J. C.—appropriation to..... 290

PIERCE CO.—lien for labor on logs, &c. in..... 86
highways in, legalized..... 93
PINE GROVE—assessment of tax in town of..... 67
PINNEY, S. U.—appropriation to..... 290
PLANKROAD—part of Racine and Rock river, declared public highway..... 191
act of 1856, amending charter Mil. and Lisbon, repealed..... 218
POISONS—act regulating sale of..... 59
POLK and Dallas cos.—change of boundary between..... 241
POLK CO.—lien for labor on logs, &c., in..... 86
POOLE, D. C.—appropriations to.....289, 291
PORTAGE CITY—sale of lands for taxes in, legalized..... 213
charter of city of, amended..... 221
PORTAGE CO.—clerk of board of, to assess tax in town of Pine Grove..... 67
payment of superintendent of schools of..... 94
terms of circuit court in..... 280
PORT OF ENTRY at La Cross—memorial for..... 274
POSTPONEMENT—of tax sales for 1862..... 175
POST ROUTE from Detroit to Superior City—memorial for..... 274
PRAIRIE DU CHIEN—authorized to issue bonds, &c..... 50
PREFERRED STOCK—railroads may issue classes of..... 154
PRESCOTT, Oak Grove and Clifton—annual meeting in joint school dist. in, 182
PRESIDENT of U. S.—joint resolution approving course of..... 270
PRINTING—of annual reports of state departments..... 12
reletting of contract for public..... 245
sec. 29, chap. 6 R. S. relating to public, amended..... 233
joint resolution relating to public..... 269
of agricultural transactions, joint resolution relating to..... 270
PRIVATE AND LOCAL LAWS. *See* AMENDMENT. REPEALED. REVIVED.
PROMISSORY NOTES—how payable and negotiable..... 27
notice of protest of..... 152
PROTESTS—how notices of, to be given..... 152
PUBLICATION of Legal Decisions—secs. 3 and 4, chap. 198 G. L. 1861, relating to, amended..... 136
sec. 4, chap. 198 G. L. 1861, relating to, amended..... 136
of delinquent list in Chippewa co. authorized..... 72
PUBLIC PRINTINC—sec. 29, chap. 6, R. S. relating to, amended..... 233
joint resolution in relation to..... 269
reletting of contract for..... 245
PYNCHEON, William—appropriation to..... 289

Q.

QUARTERMASTER GENERAL—certain papers in office of, to be deposited with secretary of state..... 159
certain warrants drawn by, receivable by state treasurer in payment of railroad licenses..... 223
active duties of, may be discontinued..... 225
authorized to audit certain accounts..... 236
QUO WARRANTO—chap. 160 R. S. relating to actions of, amended..... 82

R.

RACINE—act of 1852, relating to schools in city of, amended..... 15
charter of city of, amended..... 15
time to collect taxes in city of, extended..... 31

RACINE—apportionment of certain school moneys in city of..... 122
sec. 37, chap. 98 G. L. 1861, amending charter of city of, repealed..... 189
city council authorized to construct bridge..... 225
RACINE AND ROCK RIVER P. R.—part of, declared public highway..... 191
RAILROAD—from Green Bay to Madison, act authorizing Brown county to aid, amended..... 7
act of 1860, relating to licenses of, amended..... 17
to Black River Falls, Jackson county authorized to aid..... 98
Green Bay authorized to subscribe to stock of Ch. and N. W..... 113, 236
authorized to issue classes of preferred stock..... 154
aid to Oshkosh and Wausau..... 191
relief of holders of mortgages given to..... 192
certain lands in Brown county confirmed to Ch. and N. W..... 212
incorporation of Berlin and Grand Rapids..... 218
RAILROAD LICENSES—act of 1860, relating to, amended..... 17
certain warrants of Q. M. general receivable for..... 228
RAMSEY & CAMPBELL—appropriation to..... 290
RAY, Adam E.— do 290
RECORDS—of Green Lake county, act to perfect..... 67
REDEMPTION—of certain lands in Sheboygan county, extended..... 66
of forfeited school and university lands before sale..... 169
of lands sold for taxes of 1858.....209, 214
REFORM SCHOOL—appropriation to..... 124
act of 1861, relating to management of, amended..... 216
REGISTER OF DEEDS—to record certain certificates, bonds, &c..... 97
REGISTRATION—of marriages, &c., chap. 110 R. S. relating to, amended.... 48
RELEVY—of taxes, when collection prevented by irregularity..... 176
RELIEF—to towns, cities and villages of Fond du Lac county..... 9
of Jackson county..... 9
of town of Farmington, Polk county..... 42
of Marquette county, act of 1859, relating to, amended..... 49
of Marathon county..... 99
agricultural society of Outagamie county..... 50
do do Manitowoc do 57
do do Eau Claire do 61
do do Douglass do 61
do do La Crosse do 103
do do Rock do 121
do do Green do 185
do do Monroe do 237
to Warren Jones and Asa B. Swain..... 248
RELIGIOUS SOCIETIES—act of 1860, to incorporate, amended..... 60
sec. 5, chap. 66, R. S., relating to, amended..... 97
RENT—secretary of state authorized to audit accounts for certain..... 137
REPEALED—*General Laws.*

Year.	*Chap.*	*Sec.*	*Title.*	
1857	40	...	geological survey, &c.....	67
1857	52	...	collection of statistics.....	117
1858	51	...	do do	117
1858	109	...	repealing chap. 77 G. L. 1853.....	70
1859	87	...	amending sec. 59, chap. 133 R. S.....	80
1859	181	...	amendment of pleadings.....	107
1859	210	...	creating school library fund	23
1859	216	...	amending chap. 184 R. S.....	63
1860	8	part 1,2	special term of circuit court in Washington co.....	228
1860	126	...	do do Jefferson co.....	159
1860	175	...	act for license of dogs, &c.....	263
1860	334	...	to perfect geological survey, &c.....	67
1861	13	E. S. 9	to borrow money to repel invasion, &c.....	23

RAPEALED—*General Laws*—concluded.

Year.	*Chap.*	*Sec.*	*Title.*	
1861	79	...	amending chap. 12 R. S., of notaries public	152
1861	116	...	relative to sale of lands for taxes	176
1861	162	...	defining boundaries of certain judicial circuits	40
1861	166	...	collection of statistics, &c	117
1861	201	...	amending act of 1859, relative to foreign insurance companies	95
1861	236	3, 4, 5, 6	relating to management of reform school	217
1861	274	2, 3	to allow defendants in criminal actions to testify in their own behalf	14
1862	237	...	in relation to costs in certain cases	245
1862	259	...	terms of court in 9th circuit	210
1862	276	part 1	to postpone tax sales, &c., of 1862	218
1862	276	2, 3	do do do	225
1862	320	...	to repeal charter of village of Waupaca	227
1862	321	...	do do Weyauwega	214
1862	331	...	settlement with Milwaukee and Rock river canal co.	227

REPEALED—*Private and Local Laws.*

Year.	*Chap.*	*Title.*	
1854	338	to vacate an alley in the village of Jefferson	68
1856	436	amending charter of Milwaukee and Lisbon P. R.	218
1856	437	to incorporate the village of Weyauwega	190
1857	264	to incorporate the village of Waupaca	189
1857	361	to change the name of the village of Grafton	35
1859	137	to incorporate the village of Winneconne	102
1859	181	special fund to improve a road	62
1860	336	to incorporate the village of Englsburg	94
1861	98	sec. 37, amending charter of city of Racine	189

REPEALED—*Revised Statutes.*

Chap.	*Sec.*	*Title.*	
13	25, 35, 49,	counties and county officers	256
13	149, 150, 152, 155,	do do	70
15	68,	town and town officers	256
16	...	duties of assessors in collecting statistics	117
28	44, 45,	school and university lands	96
109	10,	marriages	48
133	9,	costs and fees	141
158	51, 53, 55, 56, 58, 59, 60, 61,	writs of habeas corpus relative to fugitive slaves	217

REPORTS—of state departments, publication of ... 12
of supreme court, distribution of ... 136
do price of ... 136
REVISED STATUTES—to be furnished county superintendents of schools ... 92
See AMENDMENTS. REPEALED.
REVIVED—act of 1857, to incorporate village of Waupaca ... 227
certain provisions of chap. 237 G. L. 1862, in relation to costs ... 246
RICHLAND CO.—terms of circuit court in, changed ... 44
RICHMOND—assessment roll of town of, for 1861, legalized ... 55
RIPON—act of 1861, establishing municipal court, amended ... 102
charter of city of, amended ... 188
ROAD—chap. 181 L. L. 1859, for improvement of a certain, repealed ... 62
state, from Stevens Point to Eau Claire, act of 1860, amended ... 93
See HIGHWAYS.
ROCK CO.—relief of agricultural society of ... 121
ROOT RIVER—construction of bridge across ... 225

S.

SADD, James S.—memorial for relief of..... 283
ST. CROIX CO.—appeals in certain cases provided for..... 66
lien for labor on logs, &c., in..... 86
postponement of sale of lands for taxes in..... 180
ST. MARY'S HOSPITAL—appropriation to..... 123
appropriation to committee to visit..... 123
SALE OF LANDS—for taxes, act of 1861 concerning, amended..... 9
lying in different counties, by executors, &c..... 36
mortgaged to state by volunteers, suspended..... 74, 161
by executors, &c., chap. 94 R. S. relating to, amended..... 81
of wards, sec. 9, chap. 93 R. S. relating to, amended..... 143
for taxes in Juneau co., act of 1861, relating to, amended..... 8
do Douglass co., legalized..... 9
do Menasha, day for, appointed..... 48
do Columbia co., publication of notice of..... 84
do city of Portage, legalized..... 213
do time for advertising changed..... 45
do of 1861, in La Crosse county, time extended..... 50
do do Shawanaw co., legalized..... 84
do do postponed..... 175, 212
do do St. Croix co., postponed..... 180
do chap. 116 G. L. 1861, relating to, repealed..... 176
do of 1858, redemption of, extended..... 209, 214
SALOMON, Col.—joint resolution recommending appointment of, as brigadier-general..... 269
SCHOOL AND UNIVERSITY LANDS—commissioners of, to deed certain lands to Martin Clancey..... 52
commissioners of, to deed certain island to Ira Mead..... 74
do cancel mortgage of Bryan Traynor..... 85
sec. 59, chap. 28 R. S. and sec. 1, chap. 270 G. L. 1860, relating to per cent. of damages and forfeitures, amended..... 96
secs. 44 and 45, chap. 28 R. S. repealed..... 96
duty of commissioners of, under act to invest school fund in bonds of the state..... 53
patents for, to be recorded..... 138
commissioners of, may exchange securities for loans..... 139
redemption of forfeited, before sale..... 169
remittance of penalties by commissioners of..... 210
SCHOOL DISTRICT—in Burlington, annual meeting in..... 13
No. 1, in Waukesha, time of holding annual meeting..... 34
do Palmyra, do do 238
SCHOOL FUND—investment of, in bonds of the state..... 53, 128
SCHOOL HOUSE—tax for building, in new district..... 170
SCHOOL LIBRARY FUND—act of 1859, creating, repealed..... 23
SCHOOL MONEYS—certain towns may collect additional..... 13
apportionment of certain, to Marquette co..... 28
action may be commenced for balance remaining in hands of town superintendent..... 56
division of, by treasurer of town of Weston..... 111
SCHOOL, UNIVERSITY AND SWAMP LANDS—forfeited, to be advertised in counties in which they lie..... 73
sale of, when mortgaged by volunteers, suspended..... 74, 161
chap. 306 G. L. 1860, relating to, amended..... 110
SCIRE FACIAS AND QUO WARRANTO—chap. 160 R. S. relating to actions of, amended..... 32
SCHUMACHER & JOHNSON—appropriation to..... 189
SCOTT, Robert E.—official acts of, legalized..... 1

SECRETARY OF STATE—authorized to audit certain accounts for labor.... 33
duty of, under act changing boundary line between Green Lake and and Marquette cos..... 19
do appropriating money to clerks joint committee on war fund expenditure..... 31
do to change time for advertising lands for unpaid taxes 45
do providing extra pay to volunteers, &c..... 64, 65, 234
do for payment of witnesses attending upon legislative committees..... 82
do to amend constitution..... 114
do to reduce rate of interest by banks, &c... 115, 220, 264
do for collection of statistics..... 117
do for adjustment of government tax..... 127
do to invest school fund in state bonds... 128
do authorizing loan to meet extraordinary expenditures..... 129
do to dispose of discredited currency..... 130
do for issue of bonds for war purposes..... 132
do for temporary loan from general fund..... 133
do relating to joint select committee to investigate war fund expenditures..... 135
do for distribution of volumes of legal decisions..... 136
do relating to patents..... 138
do for government of insane hospital..... 164
do postponing tax sales, &c..... 175
do for relief of holders of farm mortgages..... 192
do for setttement with Mil. and R. R. canal co.... 206, 227
do relative to redemption of lands for taxes of 1858... 209
do for sale of lands for taxes of 1861..... 213
do for management of reform school..... 216
do for levy of state tax for 1862..... 221
do for apportionment of taxes of 1862..... 224
do to discontinue certain military offices..... 225
do in relation to printing of session laws..... 233
do to change terms circuit court in La Fayette co..... 239
do to change boundaries between Polk and Dallas cos. 141
do in relation to contract for public printing for unexpired term of Calkins & Co..... 245
to furnish statutes, &c., to county sup'ts of schools..... 92
authorized to audit certain accounts for rent..... 137
certain papers in offices of quartermaster general and paymaster general, to be deposited in office of..... 159
authorized to audit account for engraving state bonds..... 237
SECURITIES—for school fund loans, may be exchanged..... 139
SELECT COMMITTEE, Joint—on taxation, act for payment of..... 123
to visit St. Mary's hospital, appropriation to..... 123
of investigation into war fund expenditures, act relating to..... 134
SENATE AND ASSEMBLY—indexing and transcribing journals of..... 124
SENATE DISTRICT—town of Trenton made part of 18th..... 46
SHAWANAW CO.—time to collect taxes in, extended..... 10
expenditure of drainage fund in..... 76
publication of tax list in, for 1861, legalized..... 84
transcripts of certain judgments rendered in circuit court of..... 145
SHEBOYGAN—time for redemption, &c., of certain land sold for taxes in county of, extended..... 66
county board may impose tax to improve harbor..... 91
payment of indebtedness of county of..... 107
readjustment of indebtedness of city of..... 244
charter of city of, amended..... 246

SHEBOYGAN FALLS—charter of village of, amended 121
SHELDON, G. D.—appropriation to 290
SHERWIN, A.— do 289, 290
SHERWIN'S CORNERS—act of 1859, for tax for certain road from, repealed 62
SHIPS—collection of demands against 76
SIEGEL, Gen.—joint resolution relating to resignation of 266
SINGLETON, Mr.— do tendering thanks to 272
SLAUGHTER HOUSES—keeping and management of 172
SLOAN, I. C.—appropriation to 290
SMITH, Perry H.—joint resolution, tendering thanks to 272
SMITH & CULLATON—appropriation to 290
SOLBERG, C. F.—appropriation to 291
SPARTA—time to collect taxes in town of, extended 35
SPENCER Ambrose—official acts of, legalized 258
STAMP TAX on Newspapers, &c.—joint resolution relating to 268
STATE ARMORER—auditing accounts for rent of rooms of 137
STATE BONDS—investment of school fund in 53, 128
payment of account for engraving 237
STATE DEPARTMENTS—publication of reports of 12
STATE INSTITUTIONS— do do 12
payment of expenses of governor, in visiting 220
STATE LANDS *See* SCHOOL AND UNIVERSITY LANDS. SCHOOL, UNIVERSITY AND SWAMP LANDS.
STATE OFFICERS—list of 3
commencement of term of office of 41
STATE PRISON—appropriation to commissioner of 84
do joint committee on 94
purchase of furniture of commissioner of, for insane hospital 120
appropriation to 289
STATE TAX—in civil actions, when to be paid, &c 37
levy of, for 1862 221
STATE TREASURER—to be credited on discredited currency 130
duty of, under act relating to railroad licenses 17
do for payment of indebtedness against swamp land fund 27
do for payment of witnesses attending upon legislative committees 82
do defining duties, &c., of allotment commissioners 108
do investing school fund in state bonds 128
do authorizing loan for extraordinary expenditures ... 129
do for issue of state bonds for war purposes 131
do for temporary loan from general fund 133
do relating to joint select com. on war fund expenditure, &c 135
do for relief of holders of farm mortgages 192
do settlement with Mil. and R. R. canal co 206, 227
do to remit certain penalties 210
do to discontinue active duties of certain military officers 225
do for care of sick and wounded volunteers 231
do for payment of legislative chaplains 232
authorized to receive certain warrants drawn by quartermaster general, in payment of railroad licenses 223
STATE TREASURY—disposition of discredited currency in 130
STATIONERY—furnished for war department, payment of 39
chap. 27 R. S. relating to purchase of, &c., amended 46
appropriation for purchase of 215
purchase and distribution of 215
superintendent of public property authorized to purchase 243

STATISTICS—act in relation to collection of..... 117
STEVENS POINT—act to lay out road from, to Eau Claire, amended..... 93
STOCK—of corporations, transfer of, may be ordered by circuit courts..... 58
STOCKBRIDGE—assessment authorized in town of 58
SUCKOW, B. W.—appropriations to..... 289
SUIT TAX—when to be paid, &c..... 37
SUMMONS—service of, in supreme court, against corporations, for annulling their existence..... 32
when to be filed..... 37
SUN PRAIRIE—assessment of real property in town of, for 1862..... 113
SUPERINTENDENT OF POOR—duty of, under act amending act relative to government of insane hospital..... 163
SUPERINTENDENT OF PUBLIC INSTRUCTION—to notify certain delinquent towns..... 14
to apportion school money for joint district number three, town of Newton and Crystal Lake..... 28
duty of, under act repealing chap. 210 G. L. 1859..... 23
SUPERINTENDENT OF PUBLIC PROPERTY—duty of, under act for auditing accounts of laborers about the capitol..... 33
chap. 27, R. S. relating to, &c., amended..... 46
duty of, under act for auditing certain accounts for rent..... 137
authorized to purchase stationery..... 243
SUPERINTENDENT OF SCHOOLS—of Monroe co., payment of..... 57
county, to be furnished with statutes, &c..... 92
of Wood county, payment of..... 94
of Portage county, do 94
of Marathon county, do 185
county, duty of, under act to establish graded teachers' certificates..99, 171
SUPERVISORS—may erect mounds as land marks..... 39
chairman of, may prosecute for balance of school moneys..... 56
authorized to construct drains, &c. in certain cases..... 247
chap. 129 G. L. 1861, and chap. 18 R. S. relating to, amended..... 253
SUPREME COURT. *See* COURT.
SURGEONS—appointment of, to batteries of artillery and cavalry regiments 160
SURVEYOR—of city of Milwaukee, election of, by the people..... 80
SURVEYORS—county, act in relation to..... 68
SUSPENSION—of sale of lands mortgaged to state by volunteers.....74, 161
SWAIN, Asa B.—relief to..... 243
SWEEP, Andrew—official acts of, legalized..... 25
SWAMP LAND FUND—payment of outstanding indebtedness against..... 27
SWAMP LANDS—issue of patents on..... 137
may be drained, &c..... 253

T.

TAX—readjustment of government, for 1862..... 127
national, joint resolution relating to assumption of..... 267
TAXATION—payment of joint select committee on..... 123
exemption of Lawrence university lands from..... 165
TAX DEEDS—when costs may be allowed plaintiff on judgment to annul,140, 245
TAXES—act to legalize sale of lands for, in Juneau co., amended..... 8
time to collect, in Harris and Newton, extended..... 7
do city of Beloit, do 8
do town do do 8
do Shawanaw co., do 10
do city of Racine, do 31
do Eau Claire co., do 31

TAXES—time to collect in Jefferson, Bad Ax co., extended..... 31
do city of Fond du Lac, do 35
do city of Watertown, do 35
do town of Sparta, do 35
do town of Windsor, do 36
do town of Center, do 36
do town of Eagle, do 46
do city and co. of La Crosse, do 50
reapportionment of, for 1861, in La Crosse co..... 9
act of 1861, relating to sale of lands for, amended..... 9
relevy of, for 1861, in Pierce co.....18, 145
time of payment of, in Wood co., extended..... 28
reassessment of, for 1854, 1855, 1856 and 1857, in Janesville..... 34
time for advertising lands for unpaid, by county treasurers, changed, 45
cities, towns, &c., may be vacated, if not paid..... 51
reassessment of, for 1856, 1857, 1858 and 1859, in Beloit.....53, 218
redemption of certain bonds sold for, in Sheboygan co., extended..... 66
assessment of, in town of Pine Grove..... 67
publication of delinquent list of, for 1858, in Chippewa co., authorized 72
returned, chap. 306, G. L. 1860, relating to, amended..... 110
chap 116 G. L. 1861, relating to sale of lands for, repealed..... 176
relevy of, when collection prevented by irregularity..... 176
sec. 34, chap. 386 G. L. 1860, relating to assessment of, amended..... 178
sec. 19, do do do do 179
sec. 1, chap. 295, do do do 179
of 1858, redemption of lands sold for.....209, 214
of 1861, sale of lands for, postponed.....175, 212
sale of lands for, in city of Portage, legalized..... 213
publication of list of lands sold for, in 1859, in Douglass co., legalized 223
TAX LIST—publication of, in Columbia co..... 84
do for 1861, in Shawanaw co. legalized..... 84
TAX SALE—appointment of day for, in Menasha..... 48
postponement of, for 1862.....175, 212
TEACHERS' CERTIFICATES—acts to establish grades of.....99, 171
TENANTS—chap. 91 R. S. relating to rights of landlords and, amended..... 111
TERMS OF OFFICE—of state and county officers, when to commence..... 41
THANKSGIVING—days of public, declared legal holidays..... 146
TOWERS, W. P.—appropriation to..... 289
TOWN CLERKS—to certify to collection of certain additional school moneys, 13
TOWNS—in Fond du Lac co., relief of..... 9
certain, may collect additional school moneys..... 13
authorized to purchase Williams' excavator..... 173
TOWNSEND, D. L.—appropriation to..... 289
TRAYNOR, Bryan—cancellation of mortgage of, by commissioners school and university lands..... 85
TREASURER. *See* STATE TREASURER.
TREDWELL, H. H.—official acts of, legalized..... 29
TREMPEALEAU CO.—terms of circuit court in, changed..... 44
TRENTON—town of, made part of 18th senate district..... 46
TROOPS—payment of transportation of..... 223
TWO RIVERS—village of, authorized to maintain certain bridges..... 219

U.

UNION GROVE—streets in village of, declared public highways..... 191
UNIVERSITY—payment of debts against..... 168

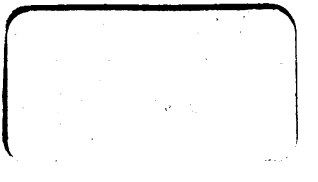
V.

VACATED—cities, towns, &c., may be, by circuit court..... 51
certain additions to city of La Crosse, and village plats in county of La Crosse..... 76
plat of Osceola City..... 85
certain streets in Clark's addition to Milwaukee..... 212
VAN STEENWYK, G.—appropriations to..... 289, 290
VENUE—sec. 8, chap. 123 R. S. place of trial of civil actions, amended..... 116
sec. 4, chap. 178 R. S. change of, in criminal cases, amended..... 124
act relating to change of, in criminal cases..... 125
payment of court expenses, when change of is allowed..... 126
VERNON CO.—name of Bad Ax county changed to..... 79
VESSELS—collection of demands against..... 76
VILLAGES—in Fond du Lac co., relief of..... 9
VOLUNTEERS—acts of 1861, relating to rights of, &c., amended..... 54
chap. 8 E. S. 1861, relating to aid, &c., to, amended..... 64, 234
sale of lands mortgaged by, to state, suspended..... 74, 161
statutes relating to foreclosure of mortgages given by, amended..... 161
payment of transportation of..... 223
care of sick and wounded, by governor..... 231
extra pay to certain, not previously provided for..... 64, 234
auditing of bills, for transportation of..... 236
VON DEUTSCH'S CAVALRY—extra pay to members of..... 234
VOUCHERS—for military expenditures, transfer of..... 109
delivery of certain, to secretary of state and governor..... 226

W.

WALKER, Capt.—joint resolution tendering thanks to..... 272
WAR—issue of state bonds for purposes of..... 131
WARD—sec. 9, chap. 93 R. S. relating to sale of lands of, amended..... 143
WAR DEPARTMENT—payment for stationery furnished..... 39
to be informed of neglect of officers, &c..... 234
WAR FUND—when claims against, to be presented..... 23
appropriation to clerks of joint committee of expenditure of..... 30
issue of bonds in aid of, authorized..... 131
loan to, from general fund..... 133
act relating to joint select committee to investigate into disbursement of, &c..... 134
WARREN, A.—appropriation to..... 289
WARREN, J. H.—appropriations to..... 290
WASHINGTON CO.—disposition of license moneys in..... 183
special term of circuit court in, repealed..... 228
WATERTOWN—time to collect taxes in city of, extended..... 85
charter of city of, amended..... 78, 188
WAUKESHA—time of holding annual meeting in school district number one, in town of..... 34
appropriation of license moneys in county of..... 42
charter of village of, amended..... 105
WAUPACCA—terms of circuit court in county of..... 230
charter of village of, repealed..... 189
do do revived..... 227
WAUPACCA, Dayton and Caledonia—aid by, to Oshkosh and Wausau R. R. 191
WAUSHARA CO.—terms of circuit court in..... 230
relief by, to Asa B. Swain..... 243

WAUTOMA—return of special school tax in town of..... 182
WEEDS—act to prevent spread of noxious, amended..... 25
WESTFORD—assessment of real estate in town of, for 1862..... 181
WESTON—division of school moneys by treasurer of town of..... 111
WEST RIVER—bridge across..... 219
WEYAUWEGA—charter of village of, repealed. 190
do do revived..... 214
WILCOX, Eri D.—official acts of, legalized..... 184
WILLIAMS' EXCAVATOR—towns and counties authorized to purchase..... 178
WILSON, James—appropriation to..... 290
WINDSOR—time to collect taxes in town of, extended..... 86
WINNEBAGO CO.—survey, &c., of logs and lumber in..... 107
WINNECONNE—act of 1859, to incorporate village of, repealed..... 102
WITNESSES—attending upon legislative committees, payment of..... 82
WISCONSIN TELEGRAPH CO.—appropriation to..... 289
WOOD CO.—time for payment of taxes in, extended..... 28
payment of superintendent of schools of..... 94
postponement of sale of lands for taxes in..... 181
terms of circuit court in..... 230
WOOD CO. BRIDGE CO.—act of 1861, granting certain islands in Wisconsin river to, amended..... 184
WOODSTOCK—incorporation of union school district in town of..... 182

W. G. ROBERTS, STATE PRINTER, MADISON, WIS.

11254